

Government
Publications

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Proclamations

and

Orders in Council

- Relating to the War

VOLUME 5

OTTAWA
EDMOND CLOUTIER
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY
1942

NOTE REGARDING CONTENTS OF VOLUME 5

This volume includes Orders in Council relating to the war, passed between July 1, 1941, and December 31, 1941, which are regarded as of general or widespread interest and concern. Three Orders in Council (P.C. 4500 of June 20, 1941, P.C. 4568 of June 25, 1941, and P.C. 4636 of June 25, 1941), which were omitted from Volume 4 are now included in this Volume.

Orders in Council relating to foreign exchange control are not included in Volumes 2, 3, 4 and 5 as they are published separately by the Foreign Exchange Control Board.

From time to time consolidations of the Defence of Canada Regulations are also printed in separate volumes.

There has been included in this volume a list of amendments to various Orders in Council (page 410) covering the period July 1, 1941, to December 31, 1941, and a reference index (page 413) covering the contents of Volumes 1 to 5. Volume 4 contains a list of amendments covering the period August 25, 1939, to June 30, 1941.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

OTTAWA, February 11, 1942.

TABLE OF CONTENTS

P.C. No.		PAGE	
4500.	Appointing Canadian Committee of the Joint Economic Committee.	20th June, 1941.....	13
4568.	Establishing Regulations for Internment of Enemy Aliens; P.C. 2521, 4th Sept., 1939, revoked.	25th June, 1941.....	14
4636.	Co-ordinating training of ground mechanics for the R.C.A.F. under Youth Training Act.	25th June, 1941.....	17
4767.	Fixing maximum prices for hides, skins and leather...	2nd July, 1941.....	18
4768.	Approving fee for licence to persons dealing in hides, skins and leather.	2nd July, 1941.....	19
4770.	Amending regulations, service estates of personnel of the Forces.	2nd July, 1941.....	19
4797.	Authorizing appointment of investigator <i>re</i> contracts for the manufacture or production of munitions of war and supplies, and construction of defence projects.	2nd July, 1941.....	21
4798.	Authorizing formation Canadian Women's Auxiliary Air Force.	2nd July, 1941.....	22
4801.	Amending the Defence of Canada Regulations (Consolidation) 1940—control of lights, sounds and traffic.	2nd July, 1941.....	23
4806.	Authorizing alien nationals holding foreign certificates of proficiency as radio-telegraph operators, to continue in service on ships taken in prize.	2nd July, 1941.....	26
117/4840.	Recommending that gratuity of two months' salary, under Civil Service Act, not payable when deceased Civil Servant member of Naval, Military or Air Forces.	3rd July, 1941.....	27
4844.	Amending regulations under Industrial Disputes Inquiry Commission.	2nd July, 1941.....	28
1/4937.	Authorizing continuation of seed production programme.	9th July, 1941.....	29
6/4937.	Recommending that employment in other branches or appointment to commissioned rank must have approval of Deputy Head.	9th July, 1941.....	30
4996.	Establishing regulations respecting chemicals.....	10th July, 1941.....	31
5084.	Establishing centralized control for issuance of export permits.	8th July, 1941.....	37
5085.	Amending the Defence of Canada Regulations (Consolidation) 1940, control of tonnage.	8th July, 1941.....	37
5088.	Amending the Merchant Seamen Order, 1941.....	10th July, 1941.....	38
5134.	Establishing "The Manoeuvre (Canada) Regulations, 1941".	10th July, 1941.....	39
5135.	Establishing The Secret Documents (Non-Publication) Order 1941.	15th July, 1941.....	42
5157.	Approving maximum prices and markups in respect of millfeeds.	10th July, 1941.....	44
45/5204.	Authority to suspend operations of the Petroleum and Naphtha Inspection Act.	16th July, 1941.....	45
55/5204.	Establishing regulations—drawback for export.....	16th July, 1941.....	45
56/5204.	Establishing regulations governing drawback on goods imported into Canada and exported therefrom.	16th July, 1941.....	47
87/5204.	Amending regulations—compensation to seamen....	16th July, 1941.....	48
5246.	Establishing regulations governing the Welfare and Treatment of Refugees.	15th July, 1941.....	51
5247.	Amending the Defence of Canada Regulations (Consolidation) 1940—power to obtain information.	15th July, 1941.....	55
5291.	Prohibiting the importation of white wall tires.....	15th July, 1941.....	56
5295.	Revoking Defence of Canada Regulations (Consolidation) 1940, and establishing Defence of Canada Regulations (Consolidation) 1941.	15th July, 1941.....	57
5357.	Committees created to assist in the sale of war loan securities, etc., to place orders for stationery and printing.	17th July, 1941.....	58

TABLE OF CONTENTS—Continued

P.C. No.		PAGE	
56/5484.	Authority for remission of Customs duty and Excise taxes—war supplies and equipment.	23rd July, 1941.....	59
84/5484.	Amending regulations for Civil Servants on leave for Active Service.	23rd July, 1941.....	59
5521.	Approving agreement marketing of apples grown in Okanagan Valley.	22nd July, 1941.....	60
5522.	Appointing inspectors for enforcement of fair wage and labour conditions, Government contracts.	22nd July, 1941.....	62
5532.	Prohibiting export hogs and other pork products.....	22nd July, 1941.....	63
5534.	Authorizing National Research Council to employ men of military age.	22nd July, 1941.....	64
5581.	Establishing Load Line Rules for ships making voyages on lakes or rivers.	24th July, 1941.....	64
5631.	Establishing regulations, canned salmon	26th July, 1941.....	65
5665.	Amending regulations, wheat deliveries and sale.....	26th July, 1941.....	67
5678.	Ordering control of exportation of commodities listed..	31st July, 1941.....	68
5679.	Control of exports of feed grains transferred from Minister of Agriculture to Minister of Trade and Commerce.	29th July, 1941.....	69
85/5775.	Authorizing trainees War Emergency Training Programmes eligible Government Employees Compensation Act.	30th July, 1941.....	70
5827.	Amending Dairy Products Board Regulations.....	29th July, 1941.....	70
5830.	Authorizing active militia to be called out to suppress riots, etc., on request of Minister of Munitions and Supply.	29th July, 1941.....	71
5844.	Repealing collection of processing levy on wheat.....	31st July, 1941.....	73
5924.	Amending regulations, restriction of wheat deliveries and sales.	5th Aug., 1941.....	74
5955.	Establishing "Canadian Publishers War Finance Publicity Committee".	5th Aug., 1941.....	74
19/6016.	Transferring Dominion Fuel Board—powers, duties and functions from Department of Mines and Resources to Wartime Prices and Trade Board.	6th Aug., 1941.....	75
6036.	Authorizing contracts, Department of Munitions and Supply, to amount of \$15,000 to be awarded without consent of Governor in Council.	19th Aug., 1941.....	76
6037.	Amending regulations respecting timber	8th Aug., 1941.....	78
6040.	Prohibiting export of bones, all kinds, and tanners' fleshings.	8th Aug., 1941.....	79
6124.	Authorizing regulations for conservation and distribution of silk supply.	9th Aug., 1941.....	79
6131.	Authorizing regulations respecting Transit	12th Aug., 1941.....	81
6156.	Clarifying P.C. 5844, July 31, 1941—processing levy on wheat.	12th Aug., 1941.....	87
6157.	Prohibiting export of rubber manufactures and semi-manufactures.	12th Aug., 1941.....	88
10/6172.	Authorizing conditions—advances towards expenses of workers travelling to places of employment.	13th Aug., 1941.....	88
22/6172.	Amending limitations for Army expenditures increased <i>re</i> Governments of Netherlands, Belgium and Poland.	13th Aug., 1941.....	90
6285.	Licensing Norwegian fishing vessel <i>Polaris</i> as fishing trawler.	14th Aug., 1941.....	91
6289.	Authorizing regulations Canadian Women's Army Corps.	13th Aug., 1941.....	92
6297.	Amending Inspection Board of United Kingdom and Canada—8 members in place of 6 members.	15th Aug., 1941.....	92
6332.	Transferring control and supervision of Wartime Prices and Trade Board from Department of Labour to Department of Finance.	14th Aug., 1941.....	93
6363.	Limiting use of any or all species of canned salmon . . .	19th Aug., 1941.....	94
6375.	Authorizing vaccination and inoculation of members of Canadian Army—unreasonable refusal considered disobedience.	19th Aug., 1941.....	95
5/6379.	Amending P.C. 1/4600, June 25, 1941—Okanagan Apple Agreement—"51st parallel".	19th Aug., 1941.....	96
81/6379.	Authorizing awards of hospital allowance—Air Force	19th Aug., 1941.....	96

TABLE OF CONTENTS—*Continued*

P.C. No.	PAGE
6387. Authorizing Minister of Munitions and Supply to make purchases for Government of the Union of South Africa.	19th Aug., 1941..... 97
6388. Authorizing Minister of Munitions and Supply to make purchases for Government of the Union of Soviet Socialist Republics.	19th Aug., 1941..... 99
6391. Establishing regulations respecting supplies.....	19th Aug., 1941..... 100
6440. Amending Wartime Prices and Trade Board Regulations, enforcement.	19th Aug., 1941..... 107
6441. Appointing a Security Control Officer at Port of Halifax	20th Aug., 1941..... 108
6497. Establishing regulations Load Line Certificates.....	22nd Aug., 1941..... 111
6554. Authorizing lighter coating of tin plate in canning foods	26th Aug., 1941..... 113
6571. Abolishing Censorship Co-ordination Committee.....	26th Aug., 1941..... 115
6574. Authorizing Steamship Inspectors to issue certificates of inspection in certain cases.	26th Aug., 1941..... 116
6655. Providing for the appointment of Deputy Priorities Officers.	26th Aug., 1941..... 116
6656. Authorizing a Controller of Construction and a Deputy Controller.	26th Aug., 1941..... 118
6685. Adding hay, straw and various forms of alfalfa to list of commodities under export control.	26th Aug., 1941..... 119
6686. Authorizing a Canadian Merchant Navy Badge.....	26th Aug., 1941..... 120
6701. Authorizing penalties, maximum rentals.....	26th Aug., 1941..... 122
6702. Granting Wartime Cost of Living Bonus to members of Public Service of Canada.	26th Aug., 1941..... 124
6834. Establishing the Wartime Prices and Trade Board Regulations.	28th Aug., 1941..... 129
6835. Establishing The Wartime Industries Control Board Regulations.	29th Aug., 1941..... 135
6874. Constituting Committee on Reconstruction	2nd Sept., 1941..... 141
6932. Adding silks, yarns, etc., to list of commodities under export control.	2nd Sept., 1941..... 143
6950. Establishing regulations controlling the use of herring.	2nd Sept., 1941..... 144
6951. Adding live hogs and other pork products to the list of commodities under export control.	2nd Sept., 1941..... 146
50/6954. Approving recommendations of Canadian Claims Commission (overseas).	6th Sept., 1941..... 147
68/6954. <i>Re</i> deductions from pay and allowances of personnel of Royal Air Force Special Schools in Canada.	6th Sept., 1941..... 148
81/6954. Amending The Merchant Seamen Order, 1941.....	6th Sept., 1941..... 149
6989. Amending agreement <i>re</i> apples grown in the Okanagan Valley.	5th Sept., 1941..... 150
7068. Amending regulations Industrial Disputes Inquiry Commissions.	10th Sept., 1941..... 151
7071. Prohibiting registration of the letter "V" as a trade mark.	10th Sept., 1941..... 152
7082. Transferring ministerial powers relating to the Wartime Prices and Trade Board from the Minister of Labour to the Minister of Finance.	10th Sept., 1941..... 153
7115. Authorizing payment of processing charges Nova Scotia apples.	10th Sept., 1941..... 154
7126. Authorizing regulations—the Nova Scotia Apple Marketing Board Limited.	10th Sept., 1941..... 155
7147. Authorizing compensation Air Raid Precautions Personnel in event of injury or death.	10th Sept., 1941..... 157
7174. Amending definition of "supplies", P.C. 6391, 19th Aug., 1941.	12th Sept., 1941..... 163
7191. Granting Fairmont Company Limited sole right to buy or import rubber.	12th Sept., 1941..... 165
7222. Prohibiting export of birch and maple lumber.....	12th Sept., 1941..... 167
59/7305. Establishing National Defence Minor Claims (Motor Vehicle Accidents) Order, 1941.	17th Sept., 1941..... 167
122/7305. Amending Wartime Cost of Living Bonus to members of Public Service.	17th Sept., 1941..... 170
7307. Establishing Regulations <i>re</i> avoidance of industrial strife.	16th Sept., 1941..... 171
7342. Declaring Syria and Lebanon no longer proscribed territory.	20th Sept., 1941..... 172

TABLE OF CONTENTS—*Continued*

P.C. No.	PAGE
7343. Declaring Toronto Casa D'Italia Limited, Hamilton Casa D'Italia Ltd., Casa D'Italia di Ville Emard Inc., Casa D'Italia-Maison D'Italia Ltd., enemies.	20th Sept., 1941..... 173
7357. Amending Regulations respecting machinery and machine tools.	20th Sept., 1941..... 174
7358. Amending Regulations respecting metals.....	20th Sept., 1941..... 174
7359. Amending Regulations respecting steel.....	20th Sept., 1941..... 175
7360. Amending Regulations respecting timber	20th Sept., 1941..... 176
7398. Amending Regulations governing welfare and treatment of Refugees.	25th Sept., 1941..... 177
7473. Prohibiting importation of goods from Japan or of Japanese origin.	23rd Sept., 1941..... 177
20/7474. Amending P.C. 1/1569—wartime employees deductions—retirement fund.	23rd Sept., 1941..... 178
28/7474. Authorizing trainees under labour programmes eligible Government Employees Compensation Act.	23rd Sept., 1941..... 178
64/7474. Authorizing Board and Lodging for applicants R.C.A.F.	23rd Sept., 1941..... 179
86/7474. Authorizing remission of Customs duty and taxes articles brought into Canada for temporary use—duration of the war.	23rd Sept., 1941..... 180
7475. Amending agreement apples grown in Okanagan Valley	25th Sept., 1941..... 180
7519. Prohibiting export of sitka spruce.....	25th Sept., 1941..... 181
7523. Authorizing payment of $\frac{1}{3}$ of freight charges on Western grains destined for Eastern Provinces.	25th Sept., 1941..... 181
7588. Authorizing further regulations respecting assistance to the movement of coal.	1st Oct., 1941..... 182
7633. Establishing "The Post-Discharge Re-Establishment Order".	1st Oct., 1941..... 184
3/7635. Authorizing pay and allowances for the Canadian Women's Auxiliary Air Force.	1st Oct., 1941..... 190
4/7635. Authorizing regulations respecting payment of pensions to members of the Canadian Women's Army Corps and the Canadian Women's Auxiliary Air Force.	1st Oct., 1941..... 191
7674. Prohibiting export of articles listed.....	8th Oct., 1941..... 194
7679. Authorizing further provision for the payment of minimum wage rates.	4th Oct., 1941..... 195
7680. Amending the National War Services Regulations, 1940 (Recruits) Consolidation 1941—P.C. 1822, March 18, 1941.	4th Oct., 1941..... 197
7816. Amending regulations respecting General Load Line Rules.	8th Oct., 1941..... 200
7824. Amending regulations Wartime Industries Control Board.	8th Oct., 1941..... 202
112/7841. Establishing Canadian Women's Auxiliary Air Force Order (No. 1) 1941.	9th Oct., 1941..... 205
7891. Extending provisions of The Merchant Seamen Order, 1941.	11th Oct., 1941..... 206
7892. Amending description War Service Badge, Service Class.	11th Oct., 1941..... 207
7893. Authorizing "Applicant for Enlistment" Badge.....	11th Oct., 1941..... 208
7986. Authorizing penitentiaries to employ men of military age.	15th Oct., 1941..... 211
7987. Amending Defence of Canada Regulations (Consolidation) 1941—cameras in protected places.	15th Oct., 1941..... 212
63/7994. Authorizing remission of customs duty and excise taxes on goods processed abroad.	15th Oct., 1941..... 214
83/7994. Authorizing pay and allowances to seamen in Canadian Manning Pools.	15th Oct., 1941..... 215
8025. Adding Sphagnum Peat Moss to list of commodities under export control.	17th Oct., 1941..... 215
8067. Authorizing further provision for payment of freight charges on Western feed grains.	20th Oct., 1941..... 216
8097. Approving regulations respecting flour and feeds.....	22nd Oct., 1941..... 218
8118. Adding certain commodities to list under export control	20th Oct., 1941..... 223
2/8119. Approving financial assistance for the sale of British Columbia apples.	20th Oct., 1941..... 224

TABLE OF CONTENTS—*Continued*

P.C. No.	PAGE
8126. Approving Regulations Governing Prairie Farm Income Payments.	22nd Oct., 1941.....
8209. Adding certain commodities to list under export control	22nd Oct., 1941.....
8253. Approving Wartime Wages and Cost of Living Bonus Order.	24th Oct., 1941.....
1/8255. Authorizing uniformity in method of refund of taxes and duties on supplies and munitions of war.	24th Oct., 1941.....
8317. Establishing rules governing the acceptance and wearing of foreign decorations and medals.	28th Oct., 1941.....
8324. Deleting mandarins and tangerines from Part One of Schedule One, War Exchange Conservation Act, 1940.	28th Oct., 1941.....
8396. Authorizing payment of freight charges on Western grain and millfeeds shipped into Eastern Canada.	28th Oct., 1941.....
32/8400. Authorizing reimbursement in case of registered postal packets lost after being delivered to unit.	29th Oct., 1941.....
62/8400. Adding industrial diamonds, etc., to Part Two of Schedule One, War Exchange Conservation Act.	29th Oct., 1941.....
8406. Amending the National War Services Regulations, 1940 (Recruits) (Consolidation 1941).	31st Oct., 1941.....
8441. Establishing the Joint Committee on Defence Production of Canada and the United States—Chairman and members named.	31st Oct., 1941.....
8487. Establishing the Shipping Priorities Committee—Chairman and members named.	31st Oct., 1941.....
8488. Authorizing six divisions of the Department of National War Services—P.C. 4748, Sept. 13, 1940, revoked.	31st Oct., 1941.....
8493. Authorizing new form War Service Badge, "General Service" Class.	1st Nov., 1941.....
8525. Extending provisions of the Militia Pension Act.....	1st Nov., 1941.....
8527. Establishing Maximum Prices Regulations.....	1st Nov., 1941.....
8528. Establishing The Wartime Prices and Trade Regulations.	1st Nov., 1941.....
8529. Amending regulations respecting herring fishing operations.	4th Nov., 1941.....
8541½. Preference, in matter of appointments to Civil Service, extended to ex-service men of present war.	1st Nov., 1941.....
8545. Amending P.C. 7191, Sept. 12, 1941, control of rubber	4th Nov., 1941.....
8590. Establishing regulations respecting the inspection and grading of flax fibre.	4th Nov., 1941.....
13/8600. Amending P.C. 2584, Sept. 7, 1939, as amended—leave of absence granted employees of Public Service while on active service.	5th Nov., 1941.....
40/8600. Approving claims arising out of traffic accidents, involving United Kingdom and Canadian Naval and Air Force vehicles.	5th Nov., 1941.....
52/8600. Approving procedure, claims involving Canadian Naval Forces and personnel within the territorial waters of Great Britain and the Continent of Europe.	5th Nov., 1941.....
57/8600. Approving remission of customs duty or excise taxes on munitions—P.C. 56/5484 revoked.	5th Nov., 1941.....
8648. Importation of cork and cork products subject to permit.	7th Nov., 1941.....
8671. Amending regulations respecting flour and feeds.....	7th Nov., 1941.....
8673. Prohibiting importation of certain chemicals.....	7th Nov., 1941.....
8677. Suspending certain clause of Savings Bank Act for duration of the war.	7th Nov., 1941.....
8707. Extending powers and duties of Wool Administrator..	7th Nov., 1941.....
8762. Amending Wartime Prices and Trade Regulations P.C. 8528, Nov. 1, 1941.	10th Nov., 1941.....
49/8817. Applying Civil Employment Reinstatement Regulations to members of C.W.A.C.	11th Nov., 1941.....
8818. Effective date of Wartime Prices and Trade Regulations to be Dec. 1, 1941.	11th Nov., 1941.....
8821. Clarifying regulations—calling of strikes, P.C. 7307, Sept. 16, 1941.	13th Nov., 1941.....
8832. Amending regulations Wheat deliveries and sales, P.C. 3849, May 30, 1941.	13th Nov., 1941.....

TABLE OF CONTENTS—Continued

P.C. No.		PAGE	
8837.	Amending Wartime Prices and Trade Regulations, P.C. 8528, Nov. 1, 1941.	13th Nov., 1941.....	282
8880.	Recommending that the members of C.W.A.C. be eligible for Rehabilitation Grant.	18th Nov., 1941.....	283
8882.	Approving arrangement for awards of decorations and medals—P.C. 1430, April 9, 1940, revoked.	18th Nov., 1941.....	284
8965.	Establishing Maximum Rentals Regulations.....	21st Nov., 1941.....	287
8987.	Establishing regulations respecting flax.....	18th Nov., 1941.....	290
8989.	Approving special freight charges on Western grains shipped to British Columbia.	18th Nov., 1941.....	293
8995.	Amending regulations <i>re</i> certificates, Masters and Mates—P.C. 4306, June 17, 1941.	18th Nov., 1941.....	294
9001.	Authorizing payments of sales tax <i>re</i> building materials	18th Nov., 1941.....	295
9029.	Establishing Wartime Leasehold Regulations.....	26th Nov., 1941.....	297
9030.	Amending Wartime Prices and Trade Regulations—P.C. 8528, Nov. 1, 1941—words “associate Chairman” deleted.	19th Nov., 1941.....	302
9056.	Adding various commodities to Schedule 1, P.C. 7674, Oct. 4, 1941—Export Permit Control.	21st Nov., 1941.....	303
9089.	Approving method of appointing Canadian Dental Corps.	21st Nov., 1941.....	304
9128.	Approving immediate payment <i>re</i> wheat deliveries.....	21st Nov., 1941.....	305
45/9130.	Recommending that Minister of Munitions and Supply have authority to sell, exchange or otherwise dispose of all scrap and articles surplus to requirements.	22nd Nov., 1941.....	306
74/9130.	Appointing custodians of moneys accrued from canteens.	22nd Nov., 1941.....	306
77/9130.	Exempting members of C.W.A.C. from Income and National Defence Taxes.	22nd Nov., 1941.....	308
109/9130.	Approving remission of customs duties to non-residents entering Canada for war service.	22nd Nov., 1941.....	309
115/9130.	Authorizing various amendments to Pension Regulations.	22nd Nov., 1941.....	310
120/9130.	Authorizing Cost of Living Bonus, Revenue Post-masters.	22nd Nov., 1941.....	315
148/9130.	Approving training centres for Merchant Seamen..	22nd Nov., 1941.....	315
149/9130.	Establishing Canadian Government Seamen’s Manning Pool.	22nd Nov., 1941.....	317
9159.	Approving recovery of excess profits <i>re</i> sub-contracts..	26th Nov., 1941.....	319
9165.	Establishing regulations Canadian seamen engaged on ships of foreign registry.	26th Nov., 1941.....	320
9166.	Approving identity certificates for Canadians on ships engaged on Foreign voyages.	26th Nov., 1941.....	322
9180.	Adding furs and fur skins to Schedule 1, P.C. 7674, Oct. 4, 1941—Export Permit Control.	24th Nov., 1941.....	323
9199.	Amending regulations governing Prairie Farm Income Payments.	16th Dec., 1941.....	324
9200.	Amending regulations governing Prairie Farm Income Payments.	10th Dec., 1941.....	325
9201.	Defining “summer fallow”, Wheat Acreage Reduction.	27th Nov., 1941.....	325
9228.	Authorizing establishment of plants for dehydration of vegetables.	6th Dec., 1941	326
9231.	Prohibiting importation of goods from China.....	27th Nov., 1941.....	327
9269.	Establishing Advisory Committee on Export Control—members named.	27th Nov., 1941.....	328
9272.	Amending P.C. 6931, Sept. 2, 1941— <i>re</i> Wartime Wages Policy in Commissions of Inquiry.	27th Nov., 1941.....	329
9282.	Amending regulations respecting supplies, P.C. 6391, Aug. 19, 1941.	27th Nov., 1941.....	330
9297.	Authorizing storage facilities <i>re</i> “Munitions” and “Supplies”.	27th Nov., 1941.....	331
9298.	Establishing Wartime Salaries Order.....	1st Dec., 1941.....	332
9338.	Amending regulations respecting oils.....	2nd Dec., 1941.....	336
113/9400.	Authorizing supplementary allowance by War Veterans Allowance Board.	3rd Dec., 1941	337
9514.	Amending P.C. 8253, Oct. 24, 1941—Regional War Labour Boards.	5th Dec., 1941	339

TABLE OF CONTENTS—*Concluded*

P.C. No.	PAGE
9522. Staggered hours applicable to Civil Service—departments listed.	5th Dec., 1941..... 340
9542. Declaring State of War with Roumania, Hungary and Finland.	6th Dec., 1941..... 343
9543. Amending the Defence of Canada Regulations (Consolidation) 1941—registration of Roumanians, Hungarians and Finns.	23rd Dec., 1941..... 345
9588. Authorizing bonus <i>re</i> oil dipping of eggs for British Ministry of Food.	16th Dec., 1941..... 346
9590. Applying provisions of Consolidated Regulations Respecting Trading with the Enemy to Japanese Empire or Japanese occupied or controlled territory.	7th Dec., 1941..... 347
9591. Amending Defence of Canada Regulations (Consolidation) 1941—registration of persons of Japanese nationality.	7th Dec., 1941..... 348
9592. Declaring State of War with Japan, Dec. 7, 1941.....	7th Dec., 1941..... 349
9599. Establishing regulations War Savings Certificates held by married women in Quebec.	31st Dec., 1941..... 351
13/9600. Amending Dependents' Allowances (Army).....	10th Dec., 1941..... 352
25/9600. Amending Dependents' Allowances (Air).....	10th Dec., 1941..... 353
27/9600. Re-establishing Naval College of Canada.....	10th Dec., 1941..... 354
9661. Amending the Defence of Canada Regulations—Section 40—general control of shipping.	10th Dec., 1941..... 357
9760. Re-registration of persons of Japanese race.....	16th Dec., 1941..... 359
9761. Prohibiting operation of any vessel in waters adjacent to West Coast by persons of Japanese race.	16th Dec., 1941..... 367
9792. Prohibiting importation of articles of glass not plate or sheet designed to be cut.	16th Dec., 1941..... 368
9797. Amending Consolidated Regulations respecting Trading with the Enemy—defining "enemy".	16th Dec., 1941..... 368
9818. Amending Defence of Canada Regulations—Regulation 33, Section 11, control of lights.	19th Dec., 1941..... 369
95/9823. Exempting stenographers and typists from provisions of P.C. 6/1248, Feb. 19, 1941—Dependents' or Marriage Allowance.	17th Dec., 1941..... 370
9870. Establishing Commodity Prices Stabilization Corporation.	17th Dec., 1941..... 370
9871. Specialized training for aircraft manufacture	23rd Dec., 1941..... 374
9888. Suspending special or dumping duties except as regards fresh fruit and vegetables.	19th Dec., 1941..... 375
9889. Ordering export selling prices, basis for valuation for duty purposes.	19th Dec., 1941..... 375
9895. Amending Defence of Canada Regulation 33—damage to premises, etc.	26th Dec., 1941..... 376
9926. Amending Wartime Wages and Cost of Living Bonus Order—Deputy Minister of Labour may act as chairman of National War Labour Board.	31st Dec., 1941..... 377
9932. Amending Canadian Shipping Board—H. R. MacMillan named Transport Controller.	23rd Dec., 1941..... 378
9935. Prohibiting export of articles listed.....	23rd Dec., 1941..... 379
9936. Regulations dispositions of moneys from processing levy on wheat.	23rd Dec., 1941..... 379
9973. Amending regulations respecting motor vehicles.....	23rd Dec., 1941..... 381
15/10066. Authorizing training by Dept. of Labour, provisions Post Discharge Re-establishment Order, P.C. 7633.	24th Dec., 1941..... 382
39/10066. Recommending voluntary helpers, Red Cross and St. John Ambulance Association, eligible Government Employees Compensation Act.	24th Dec., 1941..... 383
10128. Proclamation—Thursday, Jan. 1, 1942, day of prayer	27th Dec., 1941..... 384
10151. Prohibiting export of articles listed.....	31st Dec., 1941..... 386
10152. Amending Defence of Canada Regulation 35—control of lights and sound.	31st Dec., 1941..... 387
10160. Revoking P.C. 7722, Dec. 31, 1940, Chinese Immigration, return to Canada.	31st Dec., 1941..... 388
10195. Amending P.C. 8253, Oct. 24, 1941; collective labour agreement, conformity by February 15, 1942.	31st Dec., 1941..... 389
10196. Hon. R. J. Manion appointed Director of Civil Air Raid Precautions.	31st Dec., 1941..... 390
10200. Amending Defence Air Regulations 1940—British Columbia prohibited area.	31st Dec., 1941..... 391

Order in Council appointing Canadian Committee of the Joint
Economic Committee

P.C. 4500

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 20th June, 1941.

The Committee of the Privy Council have had before them a report, dated 15th June, 1941, from the Secretary of State for External Affairs, representing that pursuant to a decision of the Cabinet War Committee discussions were initiated with the United States Government with a view to making provision for early and detailed study of the possibilities of increased economic co-operation between Canada and the United States of America;

That as a result of these discussions it has been agreed that each Government will appoint a Committee to meet with a Committee appointed by the other and that these Committees shall, severally and jointly, study and report to their respective Governments on the possibility of—

- (1) Effecting a more economic, more efficient and more co-ordinated utilization of the combined resources of the two countries in the production of defence requirements (to the extent that this is not now being done) and
- (2) Reducing the probable post-war economic dislocation consequent upon the changes which the economy in each country is presently undergoing.

That the Committees should be known as the Joint Economic Committees; and

That it is expedient that the Canadian Committee be appointed at once.

The Minister, therefore, with the concurrence of the Minister of Finance and the Minister of Munitions and Supply, recommends:—

That a Canadian Committee be appointed for the purposes outlined above;
That the Committee be composed of

Mr. R. A. C. Henry, Mr. W. A. Mackintosh,
Mr. J. G. Bouchard, Mr. D. A. Skelton; that

Mr. H. L. Keenleyside be authorized to sit with the Committee from time to time as occasion may render desirable, and that Mr. H. F. Angus be appointed Liaison Officer to ensure that the Secretary of State for External Affairs shall be at all times conversant with the progress and activities of the Joint Economic Committees.

The Committee concur in the foregoing recommendation and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council establishing regulations for internment of enemy aliens;
P.C. 2521, 4th September, 1939, revoked**

P.C. 4568

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 25th day of June, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCE

THE GOVERNOR GENERAL IN COUNCIL:

Whereas there are presently interned in internment camps and internment stations in Canada prisoners of war, civilian enemy aliens and persons of other classifications;

And whereas the Secretary of State, with the concurrence of the Minister of National Defence, reports that it is desirable, in the public interest, to revoke the regulations made under the War Measures Act, made by Order in Council of the 4th September, 1939 (P.C. 2521), dealing with the establishment of the Internment Operations Branch, and to make suitable provision for internment operations, having regard to the number of camps which it has been found necessary to establish for the internment of persons of different classifications, and to define more precisely the responsibilities and duties of Departments of Government concerned;

Therefore, the Deputy of His Excellency the Governor General in Council, under the provisions of the War Measures Act and any other law in force in Canada, and on the recommendation of the Secretary of State, concurred in by the Minister of National Defence, is pleased to order as follows:—

- (1) The Regulations established by Order in Council P.C. 2521 of September 4, 1939, are hereby revoked, as of and from the first day of July, 1941.
- (2) The following Regulations are hereby made and established, in substitution for the regulations hereby revoked, effective the first day of July, 1941.

REGULATIONS

1. The Secretary of State, with the concurrence of the Minister of National Defence, shall appoint a senior officer of the Militia of Canada, who shall be described as the Commissioner of Internment Operations, and who shall report to the Secretary of State of Canada.

The Secretary of State, subject to the approval of the Treasury Board, shall fix the salary and allowances to be paid to such Commissioner.

2. The Secretary of State, with the concurrence of the Minister of National Defence, shall appoint an officer to be known as Commissioner of Refugee Camps, who shall report to the Secretary of State of Canada.

The Secretary of State, subject to the approval of the Treasury Board, shall fix the salary and allowances to be paid to such Commissioner of Refugee Camps.

3. Until otherwise ordered by the Governor General in Council, the Department of National Defence shall be responsible for the establishment,

maintenance and administration of such internment stations or camps as the Minister of National Defence, in consultation with the Secretary of State, may consider as being necessary and, without restricting the generality of the foregoing, shall be responsible for:—

- (a) Selection of Camp Sites, Establishment and Maintenance of Camps.
- (b) Provision of Camp Guards, Camp Staffs, Transfers of Guards, Training of Camp Guards and their reliefs.
- (c) Maintenance of discipline in the Camps.
- (d) Erection of buildings, alterations and additions.
- (e) Providing of supplies of all kinds.
- (f) Engineering services.
- (g) Medical and Dental Services.
- (h) Religious services for military personnel on duty in the Camps.
- (i) Transport and security arrangements in connection with moves of Prisoners of War or Internees from port of disembarkation to Camps, and transfers from one Camp to another or to port of embarkation.
- (j) Camp Standing Orders and periodical instructions regarding the safety of Prisoners and the prevention of escapes.
- (k) Courts of Inquiry and Courts Martial (of Canadian personnel) in connection with escapes or attempted escapes of Prisoners of War and Internees, and
- (l) The direction and control of all arrangements in connection with the apprehending of escaped Prisoners of War and Internees (in close liaison with the Commissioner of Internment Operations).
- (m) Periodical military inspections of Internment Camps.
- (n) Canteen administration.

4. Until otherwise ordered by the Governor in Council, the Department of the Secretary of State of Canada shall be responsible for general supervision of the carrying out of the policy of the Government of Canada relative to the treatment of Prisoners of War and Internees in Canada and, without restricting the generality of the foregoing, shall be responsible for:—

- (a) All matters dealing with visits by representatives of the Protecting Powers and with complaints submitted in that connection.
- (b) Arrangements for welfare and educational work generally among the Prisoners of War and Internees including religious services for Prisoners of War and Internees.
- (c) Inquiries and correspondence as to the health and welfare of Prisoners of War and Internees.
- (d) Arrangements concerning the Mixed Medical Commission.
- (e) Censorship, postal arrangements and intelligence work, and regulations concerning visits.
- (f) Problems affecting immigration and emigration.
- (g) Releases and Commitments.
- (h) Care of personal effects of Prisoners of War and Internees.
- (i) Questions relating to photographs and finger-printing.
- (j) Regulations relating to punishment of Prisoners of War and Internees.

- (k) Questions of Finance relating to money deposits of Prisoners of War and Internees and all questions relating to pay, either in accordance with International Agreement or for employment.
- (l) Liaison with the Royal Canadian Mounted Police, Provincial and other Police Forces, and Radio in connection with escapes of Prisoners of War and Internees (in co-operation with the Department of National Defence).
- (m) Records and documents relating to Prisoners of War and Internees.
- (n) Liaison with the Government of the United Kingdom in respect to Prisoners of War and Internees interned on behalf of that Government.
- (o) All questions relating to work performed by Prisoners of War and Internees,

and generally all matters relating to Internment Operations as are not hereby assigned to the Department of National Defence.

5. The Commissioner of Refugee Camps shall perform such duties in relation to the responsibilities set out in paragraph (4) as may be assigned to him by the Secretary of State in respect of such camps as may be determined by the Secretary of State, in consultation with the Minister of National Defence, to be classified as Refugee Camps.

6. The Secretary of State of Canada shall appoint such additional clerks as may be required by the Commissioner of Internment Operations and by the Commissioner of Refugee Camps and whose employment may be authorized by the Treasury Board, and, subject to the approval of the Treasury Board, shall fix the salaries and allowances to be paid to such assistants and clerks.

7. Until otherwise ordered by the Secretary of State of Canada, all officers and clerks presently employed under the supervision of the Director of Internment Operations whose employment has been previously sanctioned in accordance with the Order of Your Excellency in Council, approved 4th September, 1939 (P.C. 2521), and whose salaries and allowances have been approved by the Treasury Board, shall retain their positions and shall receive the salaries and allowances so approved by the Treasury Board.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council co-ordinating training of ground mechanics for the
R.C.A.F. under Youth Training Act

P.C. 4636

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by the Deputy of His Excellency the Governor General on the 25th June, 1941.

The Committee of the Privy Council have had before them a report, dated 18th June, 1941, from the Minister of Labour, representing:—

1. That by Order in Council dated June 18, 1941 (P.C. 30/4417), the sum of \$1,200,000 was allocated from the War Appropriation to the Department of Labour to cover expenditures of the Dominion incurred for the purpose of collaborating with certain of the provinces in the training of ground mechanics for the Royal Canadian Air Force and other artisans for aircraft manufacturing;

2. That to save valuable time and for other reasons of economy and efficiency the Minister of Labour, with the concurrence of the Dominion Supervisor of Training, deems it advisable that the aforesaid training be co-ordinated with other training now being carried on under the terms of various Dominion-Provincial Youth Training agreements as authorized under the Youth Training Act, 1939, and, to that end that special schedules, providing for the aforesaid training, be attached to the aforesaid agreements, with the consent of such of the provinces as so desire, notwithstanding that the terms of any of such special schedules may be at variance with certain of the terms of the agreement to which it is attached.

The Minister accordingly recommends that, pursuant to the terms of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, the administration of the \$1,200,000 referred to in paragraph 1 above be vested in the Minister of Labour.

The Minister further recommends that special schedules be prepared to provide for the training referred to in paragraph 1 above, during the fiscal year ending March 31, 1942; that, at the request and with the consent of any province, one of said special schedules be added to and incorporated with the current Dominion-Provincial agreement made pursuant to the terms of the Youth Training Act, 1939, to which agreement that Province is a party; and that in all respects wherein the terms of any of said special schedules is at variance with the agreement to which it is attached, the terms of the schedule, for the purposes thereof, shall have full precedence.

The Minister also recommends that expenditures of the Dominion incurred in respect to said schedules shall be charged to the \$1,200,000 referred to in paragraph 1 above.

The Committee concur in the foregoing recommendations and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council fixing maximum prices for hides, skins and leather

Canada Gazette, 12th July, 1941

P.C. 4767

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 2nd day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports that he has received representations from the Wartime Prices and Trade Board to the effect that action has been taken by the Government of the United States of America to fix the maximum prices for cattle hides, kip skins and calf skins;

That a substantial portion of Canadian requirements of hides and skins is purchased in the United States, and hides and skins not required in Canada are marketed to a large extent in the United States;

That it has been a normal feature of trade between the two countries that prices in Canada for hides and skins are closely related to prices for comparable products in the United States, and any disturbance in such customary relationship between prices of hides and skins in the two countries might be detrimental to the production and supply of leather and detrimental to the interests of consumers in Canada;

That the export from Canada of leather and of hides and skins other than fur skins is subject to approval by the Wartime Prices and Trade Board and that control over exports of like products from the United States has been established by the Government of the United States; and

That hides and skins constitute the basic raw materials for the production of leather which, in turn, forms the principal raw material of the shoe industry and stability in prices of hides, skins and leather would assist in the supplying of shoes for military purposes and to consumers at reasonable prices.

And whereas by Order in Council P.C. 3998, of the 5th day of December, 1939, the Wartime Prices and Trade Board is empowered, subject to the approval of the Governor in Council, to fix maximum prices or maximum markups at which any necessary of life may be sold or offered for sale;

And whereas the said Board, on the advice of the Hides and Leather Administrator, deems it to be in the national interest that approval be given to the exercise by the Board of the power to fix from time to time the maximum prices or maximum markups at which any hides and skins, other than fur skins, and leather may be sold or offered for sale.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and pursuant to powers conferred on the Governor in Council by the War Measures Act and otherwise, is pleased to approve and doth hereby approve the exercise by the Wartime Prices and Trade Board of the power to fix from time to time the maximum prices or maximum markups at which any hides and skins, other than fur skins, and leather may be sold or offered for sale.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council approving fee for licence to persons dealing in hides,
skins and leather**

Canada Gazette, 12th July, 1941

P.C. 4768

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 2nd day of July, 1941.

PRESENT:

His EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 3998 of the 5th day of December, 1939, the Wartime Prices and Trade Board is empowered, subject to the approval of the Governor in Council, to require persons dealing in necessities of life to obtain licences from such Board;

And whereas the Board, on the recommendation of the Hides and Leather Administrator, deems it to be in the public interest to require licences to be obtained by persons dealing in hides and skins, other than fur skins, and leather and deems it advisable to charge annually a fee of one dollar for each such licence, payable to the Receiver General of Canada;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and pursuant to powers conferred on the Governor in Council by the War Measures Act and otherwise, is pleased to approve and doth hereby approve the requirement of the Wartime Prices and Trade Board that licences be obtained from the Board by such persons dealing in hides and skins, other than fur skins, and leather, as the Board may prescribe, and that a fee of one dollar be paid for each such licence.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council amending regulations, service estates of personnel
of the Forces**

Canada Gazette, 20th September, 1941

P.C. 4770

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 2nd day of July, 1941.

PRESENT:

His EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 1065, dated 19th March, 1940, Regulations for the Administration and Distribution of Naval, Military and Air Force Estates 1940, were made; and established;

And whereas the said Regulations in their present form provide for the administration and distribution of the service estates of personnel of the Naval,

Military and Air Forces of Canada who, while serving on active service, either die or are retired or discharged while insane, the administration of such estates being carried out under the direction of the Administrator of Estates, Department of National Defence;

And whereas the Minister of National Defence reports that due to a change in procedure since the coming into force of the said Regulations, mental cases are now discharged to the Department of Pensions and National Health, and on transfer thereto, the said Department takes over the estates of such personnel, and with the exception of cases in which preferential charges are outstanding, the Administrator of Estates is no longer concerned with the distribution of such estates; and

That it is now necessary to revise the existing procedure and lay down the action to be taken with respect to personnel retired or discharged while insane, and also to indicate more clearly the action to be taken by the unit on the death of personnel serving therein.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence, is pleased to amend the said regulations and they are hereby amended as follows, effective the first day of June, 1941.

Clause (ii) of Paragraph 1 (e) is revoked and the following substituted therefor,—

- (ii) In respect of a member of the Military Force, the Paymaster, or of the Air Force, the Accountant Officer, of the unit or formation,

Sub-paragraph (d) of Paragraph 5 is revoked and the following substituted therefor,—

- (d) Lodge with the appropriate Paymaster any cash of the deceased on hand, together with the documents and accounts referred to in Article 221 or in Article 831 (as the case may be) of such Financial Regulations and Instructions.

Provided that where death occurs at sea and the ship or vessel in which the deceased was being transported either to or from any port in Canada becomes a total loss, no Committee of Adjustment shall be appointed and the provisions of the said Article 221 in respect of such deaths shall apply.

Paragraph 6 is revoked and the following substituted therefor,—

6. Preferential charges on the service estate of a deceased member are service debts, and are a first charge or lien against such estate. They are payable by the Administrator of Estates in preference to all other debts and liabilities, in the following order:—

- (a) Quarters.
- (b) Mess, canteen, band and other service accounts.
- (c) Service clothing, appointments and equipment, purchased by a deceased member, not exceeding a sum equal to six months' pay of the deceased, and having become due within eighteen months before his death.

Paragraph 12 is revoked and the following substituted therefor,—

12. Where the service estate of a member who is discharged from the Forces as a mental case and transferred to the Department of Pensions and National Health is taken over by that Department, the Administrator of Estates, save where such Department may otherwise require his co-opera-

tion, shall be concerned with such service estate only where there are preferential charges against same. Such preferential charges continue to be a first charge or lien against the service estate of such member and the Administrator of Estates shall be responsible in conjunction with that Department for payment of same.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing appointment of investigator re contracts for
the manufacture or production of munitions of war and
supplies, and construction of defence projects**

P.C. 4797

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 2nd day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under and by virtue of The Department of Munitions and Supply Act the Minister of Munitions and Supply, on behalf of His Majesty the King in right of Canada as well as on behalf of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland, has entered into contracts with certain persons, firms and corporations for the manufacture or production of munitions of war and supplies as well as the construction or carrying out of defence projects;

And whereas the Minister of Munitions and Supply reports that it is desirable in the public interest that he be authorized from time to time to appoint an investigator or investigators with the powers hereinafter mentioned;

Now therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply and under and by virtue of the powers conferred on the Governor in Council by the War Measures Act and by The Department of Munitions and Supply Act, is pleased to order and doth hereby order as follows:—

1. The Minister of Munitions and Supply is hereby authorized from time to time, when he deems it expedient, to appoint an investigator or investigators to inquire into or investigate all matters relating to or incidental to any contracts for the manufacture or production of munitions of war and supplies or for the construction or carrying out of defence projects;

2. Any such investigator may summon before him any person and may examine him and require him to give evidence orally or in writing, on oath or on solemn affirmation if he is entitled to affirm in civil matters, or by statutory declaration, on any matter pertaining to such inquiry or investigation, and any person thus authorized to conduct an inquiry or investigation may administer such oath or affirmation;

3. Any such investigator may for the purpose thereof issue a subpoena or other request or summons, requiring and commanding any person therein named to appear at the time and place mentioned therein, and then and

there to testify to all matters within his knowledge relative to the subject matter of such investigation, and to bring with him and produce any document, book or paper which he has in his possession or under his control relative to any such matter as aforesaid; and any such person may be summoned from any part of Canada by virtue of such subpoena, request or summons;

4. Reasonable travelling expenses shall be paid to any person so summoned at the time of service of the subpoena, request or summons;

5. The Minister of Munitions and Supply may, if he deems it expedient, confer upon any such investigator or investigators the powers and authority of a commissioner appointed under The Inquiries Act;

6. Any person who

- (a) being required to attend in the manner herein provided fails, without valid excuse, to attend accordingly; or
- (b) being commanded to produce any document, book or paper in his possession or under his control, fails to produce the same; or
- (c) refuses to be sworn or to affirm or to declare, as the case may be; or
- (d) refuses to answer any proper question put to him by the investigator;

shall be guilty of an offence and shall be liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding five hundred dollars, or to both such imprisonment and such fine;

7. No such investigator shall be or become liable to any person for any act or omission done or made by him in the exercise or purported exercise in good faith of any power or authority from time to time vested in such investigator under this order.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing formation Canadian Women's
Auxiliary Air Force
P.C. 4798**

*Certified to be a true copy of a Minute of a Meeting of the Committee of the
Privy Council, approved by His Excellency the Governor General on the
2nd July, 1941.*

The Committee of the Privy Council, on the recommendation of the Minister of National Defence for Air, advise that authority be granted for the formation of a component of the Royal Canadian Air Force to be known as the Canadian Women's Auxiliary Air Force, their function being to release to heavier duties those members of the R.C.A.F. presently employed in administrative, clerical and other comparable types of service employment.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending the Defence of Canada Regulations (Consolidation) 1940—control of lights, sounds and traffic

P.C. 4801

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 2nd day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under Order in Council P.C. 3962, dated the 2nd day of June, 1941, Regulation Number 35, Defence of Canada Regulations (Consolidation) 1940, was revoked and a new regulation substituted whereby the Minister of Pensions and National Health was authorized to make provision by Order regulating or prohibiting throughout Canada or any part thereof the display of lights, the emission of flames, sparks or glare, the making of noise and the regulation of traffic, including the use of roads so far as it appears to be necessary for avoiding danger consequent upon compliance with any such regulation or prohibition;

And whereas the Acting Minister of Pensions and National Health reports that the powers vested in the said Minister under the aforementioned regulation are not sufficiently broad to permit of an adequate delegation of powers to act thereunder;

That in order to work out an efficient procedure throughout the Dominion it is necessary that such authority to delegate powers under the regulation should be vested in the Minister of Pensions and National Health; and

That furthermore the said regulation makes no provision for a simple method of proving the issue of orders and authorizations made thereunder in the event of proceedings being instituted for contravention of any of its provisions.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Pensions and National Health, concurred in by the Minister of National Defence, the Minister of National Defence for Naval Services and the Minister of National Defence for Air, and under and by virtue of the War Measures Act, Chapter 206, R.S.C. 1927, and notwithstanding anything to the contrary contained in any other statute, law or regulation, is pleased to revoke and doth hereby revoke Regulation Number 35, Defence of Canada Regulations (Consolidation) 1940, and substitute therefor the following regulation:—

Control of Lights, Sounds and Traffic

35. (1) The Minister of Pensions and National Health, or any person authorized by him to act under this Regulation, may by order provide—

- (a) for prohibiting or regulating the display of lights of any such description as may be specified in the order;
- (b) for empowering a senior police officer or any constable acting under the general or special directions of such senior police officer to prohibit or restrict, in the event of hostile attack or the apprehension of hostile attack, the display of any light which would otherwise be lawful under the order.

- (c) for securing that in such circumstances as may be specified in the order such indication of the position of such premises and places, and such warning of the presence of such vehicles, vessels, animals and things as may be so specified shall be given by such means as may be prescribed by order, and for prescribing the manner in which any apparatus for the purpose of giving any such indication or warning is to be constructed, installed and used;
- (d) for prohibiting or regulating the use of roads by any particular class of traffic, so far as appears to the Minister of Pensions and National Health, or to such person or persons as may be authorized by him to act under this regulation, to be necessary for avoiding danger consequent on compliance with any provisions of an order under this regulation which relate to the lighting of roads or of vehicles on roads;
- (e) for preventing or minimizing the emission of flames, sparks or glare or the making of noise, so far as appears to the Minister of Pensions and National Health, or to such person or persons as may be authorized by him to act under this regulation, to be necessary for the purpose of preventing the conveyance of information useful to the enemy or interference with measures taken for the safety of the state.

(2) Any such order may be made so as to apply either throughout Canada, or to any area or premises therein, may make different provision as respects different classes of premises, places, vehicles, vessels, animals or things, may grant, or provide for the granting of, absolute or conditional exemptions from the operation of any of the provisions of the Order, and may contain such incidental and supplementary provisions as appear to the Minister of Pensions and National Health, or to such person or persons as may be authorized by him to act under this regulation, to be necessary or expedient for the purposes of the order.

(3) If any order made under this regulation is contravened or not complied with in the case of any premises, vehicle or vessel, any constable or any member of His Majesty's forces may enter the premises or board the vehicle or vessel and take in relation thereto all such steps as may be reasonably necessary for the enforcement of the order.

(4) Any constable who has reason to suspect in the case of any vehicle that any order made under this regulation is being, or has been, contravened or not complied with, may take any reasonable steps for the purpose of inspecting or examining the vehicle, or any part thereof or any lamps thereon or therein, with a view to ascertaining whether or not there is, or has been, any such contravention or non-compliance.

(5) If any order made under this regulation is contravened or not complied with in the case of any premises, vehicle or vessel, then (without prejudice to any proceedings which may be taken against any other person) the occupier of the premises, the person in charge of the vehicle or the master of the vessel, as the case may be, shall be guilty of an offence against this regulation;

Provided that, in any proceedings which by virtue of this paragraph are taken against any person in respect of a contravention of, or non-compliance with, such an order on the part of another person, it shall be a defence for the defendant to prove that the contravention occurred without his knowledge and that he exercised all due diligence to secure compliance with the order.

(6) Any person authorized by the Minister of Pensions and National Health to act under this regulation may cause any whistle, siren or other apparatus for making sound which is situated in any premises to be used in such manner as the Minister of Pensions and National Health, or as such person so authorized by him to act under this regulation, may determine to be appropriate for indicating the imminence or occurrence of hostile attack, or the cessation of danger therefrom.

(7) Any order issued in pursuance of this regulation may extend to exercises and tests for the purpose of perfecting the organization necessary for and facilitating the taking of the measures and steps set out in this regulation.

(8) Notwithstanding anything to the contrary contained in this regulation, any order made by the Minister of Pensions and National Health, or by such person or persons as may be authorized by him, which may effect, or in any way relate to, the Naval, Military or Air Services, shall only be made with the concurrence of the Minister of National Defence, the Minister of National Defence for Naval Services, or the Minister of National Defence for Air, as the case may be.

(9) Any person shall be deemed to have been authorized by the Minister of Pensions and National Health to act under this regulation.

- (a) who has received an authorization directly from the said Minister, or,
- (b) who has been authorized to act by such person as may have been authorized by the said Minister to delegate his power to act thereunder.

(10) (a) Proof of the issuance of any order made by the Minister of Pensions and National Health under this regulation may be made.

- (i) by production of a copy thereof duly certified under the hand of the Minister of Pensions and National Health, or,
- (ii) by production of a copy of the *Canada Gazette* in which such order has been published.

(b) Proof of the issuance of any order made by any person authorized by the Minister of Pensions and National Health to act under this regulation may be made,—

- (i) by production of a copy of the authorization of such person duly certified by the Minister of Pensions and National Health together with a copy of the order duly certified by the person authorized to issue the same, or,
- (ii) by production of a copy of the *Royal Gazette* of the particular Province in which such authorization and order consequent thereupon have been published.

(c) Proof of the issuance of any order made by any person under authority of such person as may have been authorized by the Minister of Pensions and National Health to delegate his powers to act under this regulation may be made,—

- (i) by production of a copy of the authorization of delegation of powers to issue such order duly certified by the said Minister together

- with a copy of the instrument delegating such powers duly certified by the person authorized to issue the same and a copy of the order duly certified by the person to whom such powers have been delegated, or,
- (ii) by production of a copy of the *Royal Gazette* of the particular Province in which such authorization of delegation of powers, the instrument delegating such powers and the order consequent thereupon have been published.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing alien nationals holding foreign certificates
of proficiency as radiotelegraph operators to continue in
service on ships taken in prize**

P.C. 4806

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 2nd day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Transport reports that, pursuant to the provisions of Orders in Council P.C. 1594 of April 22nd, 1940, and P.C. 3630 of August 1st, 1940, certain Danish and French ships have been requisitioned, either by order of the Prize Court or under the provisions of Regulation 48 of the Defence of Canada Regulations, for use by the Canadian Government;

That other ships of foreign registry have been and might be so requisitioned for use by the Canadian Government; and

That, in the circumstances, and in order to facilitate the operation of ships of foreign registry that have been or that may be requisitioned, as aforesaid, it is deemed advisable to grant permission to alien nationals holding foreign certificates of proficiency as radiotelegraph operators, to continue in service or to take service as radiotelegraph operators on such ships, notwithstanding anything contained in the Canada Shipping Act, 1934.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport, and under the authority of the War Measures Act, Chapter 206, R.S.C. 1927, notwithstanding anything contained in the Canada Shipping Act, 1934, or any other Act, is pleased to order and doth hereby order that any subject or former subject of a foreign state may be authorized by or on behalf of the Minister of Transport to act as radiotelegraph operator on ships of foreign registry that have been or that may be requisitioned under the provisions of Regulation 48 of the Defence of Canada Regulations, or that have been or that may be seized in prize and either requisitioned for use by the Canadian Government or condemned by the Court as prize, provided such person produces proof, satisfactory to the Department of Transport, that he is the holder of a foreign certificate of proficiency as radiotelegraph operator and provided further, that the Naval Service is of opinion that the

continued employment of such person will not act in any manner prejudicial to the safety of the State or the efficient prosecution of the war while the said person is acting in pursuance of the authorization, and that any such person, authorized as aforesaid, shall, while acting in pursuance of the authorization, be deemed for the purposes of the Canada Shipping Act, 1934, to hold a certificate of proficiency under the said Act.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council recommending that gratuity of two months' salary, under Civil Service Act, not payable when deceased Civil Servant member of Naval, Military or Air Forces

P.C. 117/4840

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 3rd July, 1941.

The Board had under consideration a memorandum from the Honourable the Minister of Finance reporting:—

1. "That Section 56 of the Civil Service Act reads as follows—

'56. If a person dies while in the Civil Service, after having been at least two years therein, an amount equal to two months of his salary shall be paid to his widow or to such person as the Treasury Board determines.'

2. That a gratuity of two months' salary is paid under the authority of the said Section 56 in respect of the death of a person on the establishment of any Department even though such person may, at the time of his death, have been on leave of absence with or without pay.

3. That the purpose of granting the two months' gratuity is to provide financial assistance to enable the medical expenses in connection with the last illness of the deceased and his funeral expenses to be paid.

4. That in the case of the death of a member of the naval, military or air forces of Canada, his medical expenses and funeral expenses are paid.

The undersigned accordingly has the honour to recommend that Your Excellency in Council, under and by virtue of the War Measures Act, may be pleased to order that the gratuity of two months' salary authorized by Section 56 of the Civil Service Act shall not be paid in the case of the death of a member of the naval, military or air forces of Canada on leave of absence from the Civil Service."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations under Industrial Disputes
Inquiry Commission

P.C. 4844

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 2nd day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, in order to expedite the settlement of disputes about discrimination on account of trade union membership and related matters, is pleased, on the recommendation of the Minister of Labour, to amend the Order in Council dated 6th June, 1941 P.C. 4020, and it is hereby amended as follows:—

1. By striking out the first clause of Section 2 thereof and substituting therefor the following:—

“An Industrial Disputes Inquiry Commission shall consist of one or more members appointed by the Minister of Labour and each member thereof shall have the full powers of a Commissioner under the provisions of the Inquiries Act (Chapter 99 R.S.C. 1927),”

2. By adding thereto the following new sections:—

“5. An Industrial Disputes Inquiry Commission shall, upon direction of the Minister of Labour, examine into any allegation that any person has been discharged or discriminated against for the reason that he is a member of or is working on behalf of a trade union or that any person has been coerced or intimidated to induce him to join a trade union and, failing settlement of the matters at issue, shall forthwith report its findings and recommendations to the Minister of Labour. The Minister shall issue whatever order he deems necessary to effect such recommendations and such order shall be final and binding upon the employer and employees and any other person concerned.

“6. Nothing in the foregoing shall be construed to give employees the right to work for or to attempt to organize a union in their working hours, or on the premises of the employer.

“7. The provisions of Sections 57 and 59 of the Industrial Disputes Investigation Act shall apply with respect to any strike or lockout pending investigation by an Industrial Disputes Inquiry Commission.”

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing continuation of seed production program
P.C. 1/4937**

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
9th July, 1941.*

The Board had under consideration a memorandum from the Honourable the Minister of Agriculture reporting:—

"That by Order in Council dated the 1st day of August, 1940, P.C. 3588, Your Excellency authorized the Agricultural Supplies Board, with the approval of the Minister of Agriculture, to arrange with the Provincial Departments of Agriculture for the production of seed of certain biennial field and garden crops, and authorized payment out of the War Appropriation of one-half the cost of such production program;

That, under these arrangements, approximately 450 acres have been seeded in several provinces to produce beet, cabbage, cauliflower, parsnip, radish, spinach, swede and mangel seed for distribution throughout Canada in 1942;

That the Agricultural Supplies Board and the Seed Supply Committee, after a Dominion-wide survey which indicates that, although a reasonable supply of seed grown under the program and otherwise in 1941 will be available in 1942, a definite shortage of seed, more particularly, beet, cabbage, cauliflower, parsnip, radish, spinach, swede, and mangel, for seeding in 1943 will likely exist unless steps are now taken to increase production, strongly recommend the continuation of this program, in collaboration with the provinces, to guard against any such shortage;

That it is estimated that the total expenditure by the several provinces for seed in 1942 based upon competitive prices in 1941 contracts will not exceed \$207,062.00, one-half of which expenditure will be paid by the Dominion to the provinces.

The undersigned, therefore, recommends that Your Excellency, under the authority of the War Measures Act, do authorize continuation of the seed production program as aforesaid."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council recommending that employment in other branches or
appointment to commissioned rank must have
approval of deputy head**

P.C. 6/4937

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
9th July, 1941.*

The Board had under consideration a memorandum from the Honourable the Minister of Finance reporting:—

- “(1) That under pressure of war conditions and the resulting demand for trained staff in the Public Service, a condition of unrestricted competition has developed within the Public Service for services of trained personnel;
- (2) That this condition is aggravated by offers of commissioned rank in the Naval, Military and Air Services to employees of the Public Service;
- (3) That this internal competition has a tendency to—
 - (a) Increase compensation unduly with respect to the services to be performed not only of the individuals concerned but of the Public Service as a whole.
 - (b) Cause an abnormal turnover of staff detrimental to the efficient functioning of the Public Service;
- (4) That without impeding normal and warranted progress of employees in the Public Service, and without placing undue restrictions on appointment of employees in the Public Service to commissioned rank in the Naval, Military and Air Services, where such appointments are in the public interest, it is desirable to control such competition for the services of employees within the Public Service.

Accordingly, the undersigned, under authority of the War Measures Act, has the honour to recommend that an employee of the Public Service may not be approached with an offer of employment in any other department or branch of the Public Service or with an offer of appointment to commissioned rank in the Naval, Military or Air Services unless the deputy head of the department in which such person is employed agrees to such offer being made and reports that, in his opinion, it would be in the public interest to release such employee for the purpose of accepting the appointment in question.”

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations respecting chemicals

Canada Gazette, 10th November, 1941

P.C. 4996

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 10th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, under and by virtue of The Department of Munitions and Supply Act, the Minister of Munitions and Supply has, among other duties, the duties of organizing the resources of Canada contributory to, and the sources of supply of, munitions of war and supplies and the agencies available for the supply of the same, and of mobilizing, conserving and co-ordinating the economic and industrial facilities available in respect of munitions of war and supplies for the effective prosecution of the present war;

And whereas under and by virtue of section 6, subsection (1) (e) of the said Act, the Minister of Munitions and Supply may,

"mobilize, control, restrict or regulate to such extent as the Minister may, in his absolute discretion, deem necessary, any branch of trade or industry in Canada or any munitions of war or supplies";

And whereas it is deemed necessary to control, restrict and regulate the production, sale, distribution, consumption and use of chemicals which are, or are likely to be, or may be, necessary or useful for, or in connection with, the production, storage, transportation, and/or supply of munitions of war, or necessary or useful for the needs of the Government or of the community in war, with a view to conserving the financial, material and other resources of Canada and facilitating the production of munitions of war and supplies essential for fulfilling the present and potential needs of Canada and her allies;

Now therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply and pursuant to the powers conferred by the Department of Munitions and Supply Act and by The War Measures Act, is pleased to order as follows:—

I.—James Douglas Lorimer, Esquire, of the City of Westmount, in the Province of Quebec, is hereby appointed Controller of Chemicals.

II.—The following Regulations Respecting Chemicals are hereby made and established:—

REGULATIONS RESPECTING CHEMICALS

1. For the purposes of these regulations, except where the context otherwise requires,

- (a) "the Controller" or "the Controller of Chemicals" means the person from time to time appointed Controller of Chemicals by the Governor General in Council, and for the time being in office as such;
- (b) "Deputy Controller" means any person from time to time appointed a Deputy Controller of Chemicals by the Governor General in Council, and for the time being in office as such;

- (c) "deal in" includes buy, sell, exhibit for sale, take or receive orders for, lease, hire, lend, borrow, exchange, acquire, import, store, supply, deliver, transport, distribute, dispense, ship, convey and install;
 - (d) "dealing in" includes buying, selling, exhibiting for sale, taking or receiving orders for, leasing, hiring, lending, borrowing, exchanging, acquiring, importing, storing, supplying, delivering, transporting, distributing, dispensing, shipping, conveying and installing;
 - (e) "dealt in" includes bought, sold, exhibited for sale, taken or received orders for, leased, hired, lent, borrowed, exchanged, acquired, imported, stored, supplied, delivered, transported, distributed, dispensed, shipped, conveyed and installed;
 - (f) "make" includes manufacture, fabricate, assemble, produce, process, distil, sublimate, crystallize, refine and construct;
 - (g) "making" includes manufacturing, fabricating, assembling, producing, processing, distilling, sublimating, crystallizing, refining and constructing;
 - (h) "made" includes manufactured, fabricated, assembled, produced, processed, distilled, sublimated, crystallized, refined and constructed;
 - (i) "the Minister" means the Minister of Munitions and Supply for the time being and his duly appointed successors in office, and includes the Deputy Minister;
 - (j) "order" means any order, regulation, licence, permit, prohibition, requirement, direction, quota or approval made, issued, established or given by the Controller or by the Minister by virtue of this Order in Council;
 - (k) "person" includes firm, corporation, company, partnership, association or any other body and the heirs, executors, administrators, receivers, liquidators, curators and other legal representatives of such person according to the laws of that part of Canada applicable to the circumstances of the case;
 - (l) "chemicals" means those substances, articles, materials, products or things produced by a change in composition and commonly known as chemicals, and the raw materials required in the manufacture thereof, and, without restricting the generality of the foregoing, includes such specific substances, articles, materials, products or things as the Minister may, from time to time, by written order direct to be included within the meaning of "chemicals" for the purpose of this Order in Council;
 - (m) "plant" means any manufacturing, producing, refining, fabricating, processing or other industrial and/or commercial plant, factory, shop, establishment or enterprise, the business or part of the business of which is making and/or dealing in chemicals;
 - (n) "equipment" means anything used or capable of being used (as to which the decision of the Minister shall be final and conclusive) in the making of, or dealing in, any chemicals;
 - (o) Words in the singular shall include the plural, and words in the plural shall include the singular.
2. (1) The Controller shall have power, exercisable from time to time,

- (a) To take possession of, or otherwise acquire any chemicals and/or any equipment wherever found, and generally to deal in chemicals and/or equipment of any kind;
- (b) To enter on any land or premises or into any plant, building or place by himself or by any person duly authorized by him thereunto, for the purpose of inspecting or searching for any chemicals and/or any equipment or any of the facilities therein or thereon used, or capable of being used, for making and/or dealing in the same;
- (c) To enter on, take possession of and utilize, by himself or by any person duly authorized by him thereunto, any land or premises or any plant, building or place, used or capable of being used for making and/or dealing in any chemicals and/or any equipment;
- (d) Subject to the approval of the Minister, to fix or regulate the price or prices, or fix the maximum or minimum price or prices, at or for which any chemicals and/or equipment of any kind may be dealt in;
- (e) To prohibit or regulate any practice or mode of, or related to, making or dealing in any chemicals and/or any equipment, or used or followed in connection therewith, which, in the opinion of the Controller would or might increase, or tend to increase, the price of chemicals and/or equipment of any kind either generally or to any person, or which would or might affect, or tend to affect, the orderly making of, and/or dealing in any chemicals and/or any equipment;
- (f) Subject to the approval of the Minister, to fix or limit the quantity of any chemicals and/or any equipment which may be made and/or dealt in by or to any person, either generally or for any specified use, and either generally or within specified periods of time; and to prohibit making and/or dealing in any chemicals and/or any equipment in excess of the quantities so fixed or limited;
- (g) To issue and reissue licences to persons making and/or dealing in any chemicals and/or any equipment, and to suspend, cancel or refuse to issue any such licence whenever the Controller deems it to be in the public interest to do so, and, subject to the approval of the Minister, to fix the fees payable for the issue of such licences, and to prescribe the manner, procedure, terms and conditions under which such licences shall be obtained;
- (h) To prohibit any person from making and/or dealing in chemicals and/or equipment of any kind or kinds, or participating in any such making and/or dealing in any chemicals and/or any equipment, either directly or indirectly, unless previously licensed by the Controller, or unless under a permit issued by the Controller;
- (i) To prohibit any person from exporting chemicals and/or equipment of any kind unless previously licensed so to do by the Minister of Trade and Commerce under the provisions of Order in Council P.C. 2448 of 8th April, 1941, or under the provisions of any other Order in Council or Statute of the Parliament of Canada;
- (j) To prohibit or regulate the construction of, or the making of any structural or other change or addition to, any plant or building used or to be used for, or in connection with, the making of, or dealing in, any chemicals and/or any equipment;

- (k) To prohibit or regulate the use of any land, building or plant for the purpose of making and/or dealing in chemicals and/or equipment of any kind;
- (l) To make or to require any person to make any structural change in, or addition to, or to provide or require any person to provide any equipment in, any plant, building or place for the purpose of, or to be used in any way in connection with, making and/or dealing in any chemicals and/or any equipment;
- (m) To make orders regulating fixing, determining and/or establishing the kind, type, grade, quality, standard, strength and/or quantity of any chemicals and/or any equipment that may be made and/or dealt in by any person; and to prohibit any making and/or dealing in any chemicals and/or any equipment, contrary to any such orders or orders;
- (n) Subject to the approval of the Minister, to establish a quota or quotas prescribing the kind, type, grade, quality, standard, strength, classification or specification of any chemicals and/or any equipment and the quantity of each that may be made and/or dealt in by any person from time to time, and subject as aforesaid, to prohibit any person from making and/or dealing in any chemicals and/or any equipment except in accordance with any such quota or quotas, unless the Controller shall have issued a permit therefor, which permit may specify the manner in which such chemicals and/or equipment may be made and/or dealt in contrary to such quota or quotas and/or the kinds, types, grades, qualities, standards, strengths, classifications or specifications of any chemicals and/or any equipment, and the number of each, that may be made and/or dealt in contrary to such quota or quotas;
- (o) To order or require any person owning or having power to dispose of, or being in possession of, or making and/or dealing in any chemicals and/or any equipment to produce to any person, authorized in writing for the purpose by the Controller, all or any books, records and/or documents, and to permit the person so authorized to make copies of, or take extracts from the same and, when the Controller deems necessary, to remove and retain any such books, records and/or documents;
- (p) To order or to require any person having power to dispose of, or being in possession of, or making and/or dealing in any chemicals and/or any equipment, or any agent, employee or representative of any such person to furnish, in such form and within such time as the Controller may prescribe, such facts, data or information as the Controller may, deem necessary; and the Controller may, at his discretion, require the same to be furnished under oath or affirmation;
- (q) Subject to the approval of the Minister, to enter upon and conduct any investigation or inquiry, which, in the opinion of the Controller is necessary to obtain any information within the possession or knowledge of any person owning or having the power to dispose of, or being in possession of, or making and/or dealing in any chemicals and/or any equipment, or of any agent, employee or representative of any such person; and for such purpose the Controller shall have and exercise all powers of a commissioner

duly appointed under part I of the Inquiries Act, being Chapter 99 of the Revised Statutes of Canada 1927 and amending Acts, and engage the services of any person as provided in section 11 of the said Act.

- (r) To order or to require any person owning or having power to dispose of, or being in possession of, or making and/or dealing in any chemicals and/or any equipment to make and/or deal in any such chemicals and/or equipment in such manner as may be so ordered, and, if ordered so to do, (but subject to any order of the Priorities Officer of the Department of Munitions and Supply) in priority to any other business of such person;
- (s) Subject to the approval of the Governor General in Council, to advance monies to any person engaged in the business of making and/or dealing in any chemicals and/or any equipment for the purpose of assisting such person in the carrying on of such business;
- (t) To regulate and control, by prohibition or otherwise any or all dealings or transactions between any person making and/or dealing in any chemicals and/or any equipment and any other such person in respect of, or in connection with, any making and/or dealing in any chemicals and/or any equipment, and/or the acquisition and/or use of any real and/or personal property, including any equipment, for or in connection therewith.

(2) The powers set forth in the foregoing subsection (1) of this section 2 are several and not dependent on each other, and no paragraph or provision hereof shall be construed, unless so stated or indicated, as being limited in its generality by the terms of any other paragraph or provision.

3. Wherever herein any power is given to the Controller whether or not subject to the consent or approval of the Minister or of the Governor General in Council, to make or give any order to, or with respect to, or impose any restriction, prohibition or requirement on, or with respect to, any person or thing, the Controller may exercise such power either generally with respect to the whole subject matter thereof, or partially or selectively with respect only to a portion or portions of the subject matter thereof, and, without restricting the generality of the foregoing, the provision or provisions of this Order in Council granting such power shall be deemed and construed to mean that such power is given, and may be exercised, in respect of, and/or in relation to:

- (i) such person or thing in the plural or aggregate, or as, or in, a group or groups, as well as in the singular; and
- (ii) any particular number or numbers of persons or number or numbers or part or parts of any thing or things, as well as all of such persons, thing or things; and
- (iii) such person and/or thing either generally throughout Canada or in any particular province, place, area, zone or locality designated by the Controller; and
- (iv) such a person of any particular trade, industry, occupation, profession, group, class, organization, or society and/or such a thing of any particular kind, type, grade, classification, quality or species; and
- (v) an indefinite, undetermined or unspecified time or such period or periods of time as the Controller may specify.

4. If the Controller takes possession of any chemicals and/or any equipment and/or of any real and/or personal property or if the Minister determines that any person is entitled to compensation by reason of any order,

then the compensation to be paid in respect thereof, in default of agreement, shall be such, in the case of any chemicals and/or any equipment, as is prescribed and determined by the Controller with the approval of the Minister, and in other cases shall be such as is determined by the Exchequer Court on reference thereto by the Minister.

5. Any person who contravenes or fails to observe any order or who, in any manner hinders or obstructs the Controller in the exercise of his powers, shall be guilty of an offence under The Department of Munitions and Supply Act.

6. If any person contravenes or fails to observe any order whether general or specific, then in such case, and in addition to or in substitution for the penalties provided in the foregoing section 5 hereof the Controller shall have power by his order to prohibit and restrain such person from making, dealing in and/or using any chemicals and/or any equipment, and, to this end, the Controller may order such acts and things to be done or omitted as he may deem necessary to prevent or preclude the use of any particular chemicals, equipment, plant, building and/or place in breach of any such order, and in particular may prohibit the sale and/or purchase of any chemicals and/or any equipment by or to any such person.

7. Where the failure to fulfil any contract or obligation, whether made before or after the date of this Order in Council is due to the compliance on the part of any person with any order, proof of that fact shall be a good and complete defence to any action or proceeding in respect of such failure.

8. A Deputy Controller of Chemicals shall have and exercise any and all powers conferred on the Controller of Chemicals subject to any restriction thereof which the Controller of Chemicals may from time to time impose and subject in all cases to review by the Controller of Chemicals.

9. The Controller, any Deputy Controller and any person acting for, or on behalf of, or under the authority of, the Controller shall not be or become liable to any person for anything done or omitted in the exercise or purported exercise of any power or authority from time to time vested in the Controller.

His Excellency in Council is further pleased to amend Order in Council P.C. 2448 of 7th April, 1941, (as amended by Order in Council P.C. 4366 of 17th June 1941) and it is hereby amended to the extent necessary to give full force and effect to the provisions of section 2, subsection (1) paragraph (i) hereof, and any order made by the Controller by virtue thereof.

His Excellency in Council is also pleased to order and it is hereby ordered that Schedule One of the said Order in Council P.C. 2448 as amended as aforesaid, shall, from time to time, as may be rendered necessary by any such order made by the Controller, be deemed to be amended by the inclusion therein, under the appropriate group, category and/or heading, or under a new group, category and/or heading, of chemicals of any or every kind, the export of which, without a licence is prohibited by any such order made by the Controller.

His Excellency in Council is further pleased to order and doth hereby order and direct that there be paid to the said James Douglas Lorimer the administration expenses (including actual out-of-pocket expenses for travelling, of himself or anyone acting under his authority) incurred by him in the exercise of his powers or discharge of his duties; the same to be paid out of the funds provided and allotted to the Department of Munitions and Supply under the War Appropriation Act.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council establishing centralized control for issuance of
export permits**

Canada Gazette, 9th July, 1941

P.C. 5084

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 8th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Order in Council, P.C. 2448 of April 8, 1941, establishing centralized control for the issuance of export permits, gave the Minister of Trade and Commerce authority to exempt from the export permit requirement any specified article, or articles, exported to any part of the British Empire, or to such other country or countries as the Minister may designate;

And whereas it is deemed desirable that the Minister of Trade and Commerce should also have authority to rescind such exemption from the export permit requirement whenever it is deemed advisable.

Therefore His Excellency the Governor General in Council, on the recommendation of the Right Honourable Ernest Lapointe, Acting Prime Minister for the Minister of Trade and Commerce, is pleased to amend Order in Council, P.C. 2448 of April 8, 1941, and it is hereby amended by revoking paragraph 4 thereof and substituting the following in lieu thereof:—

4. The Minister of Trade and Commerce may exempt from the provisions of the preceding paragraph any specified article or articles exported to any part of the British Empire or to such other country or countries as the Minister may designate, any such exemption, however, being liable to removal whenever the Minister deems it advisable.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending the Defence of Canada Regulations
(Consolidation) 1940, control of tonnage**

Canada Gazette (Extra), 17th July, 1941

P.C. 5085

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 8th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Right Honourable Ernest Lapointe, Acting Prime Minister, for the Minister of Trade and Commerce, and under and by virtue of the powers conferred

by the War Measures Act, Revised Statutes of Canada, 1927, chapter 206, is pleased to amend regulation 44 of the Defence of Canada Regulations (Consolidation), 1940, and it is hereby amended as follows:—

1. By striking out the words "proceed to sea from" in the eighteenth and nineteenth lines of paragraph 1 thereof and substituting therefor the word "leave".

2. By striking out the words "proceeds or attempts to proceed to sea" in the first and second lines of paragraph 2 thereof and substituting therefor the words "leaves or attempts to leave any port".

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending the Merchant Seamen Order, 1941

P.C. 5088

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 10th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2385, of April 4th, 1941, The Merchant Seamen Order, 1941, was made and established in order to prevent delays in the departure of merchant ships from Canadian ports;

And whereas under the provisions of the said Order, the word "ship" was defined in paragraph 2, clause (e), as follows:—

(e) 'ship' means and includes a foreign going British merchant ship and a merchant ship registered in or belonging to Belgium, the Czechoslovak Republic, the Netherlands, Norway, Poland, Greece, or registered in or belonging to any other foreign power which may be designated by the Governor in Council as a foreign power, the merchant ships of which shall be subject to the provisions of this Order;

and the scope of the Order was thereby limited to British merchant ships and to merchant ships registered in or belonging to Belgium, the Czechoslovak Republic, the Netherlands, Norway, Poland, Greece and any other foreign power that might be designated by Order in Council;

And whereas the said Order, in paragraph 10 thereof, provides that a seaman who is removed from his ship by a Committee of Investigation shall be brought before a Board of Inquiry within forty-eight hours of his removal from the ship, which time limitation, due to the factors of distance and otherwise, has been difficult to comply with;

And whereas the Minister of National Defence for Naval Services reports that the application of the provisions of the said Order over the intervening period has indicated that it is expedient to extend the scope of the Order so as to cover all ships, other than those which are specifically excluded, or which may be specifically excluded by Order in Council, and that it is also expedient to enlarge the period of time within which a seaman removed from the ship shall be brought before a Board of Inquiry.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence for Naval Services, and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Act or Law, is pleased to amend The Merchant Seamen Order, 1941, as made and established by Order in Council dated the 4th April, 1941, P.C. 2385 and it is hereby amended as follows:—

Clause (e), paragraph 2 is *deleted* and the following *substituted* therefor:

(e) 'ship' means and includes a foreign-going British merchant ship and a merchant ship registered in or belonging to any foreign country or power except the following—

- (i) 'Ships registered in or belonging to the United States of America;
- (ii) Ships registered in or belonging to Japan;
- (iii) Ships registered in or belonging to any other foreign power that may be designated from time to time by the Governor in Council; and such merchant ships, other than those which are excepted as aforesaid, shall be subject to the provisions of this Order.

Paragraph 10 is amended by substituting the words "seventy-two" for the words "forty-eight" wherever the same appear therein.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing "The Manoeuvre (Canada) Regulations, 1941"

P.C. 5134

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 10th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of National Defence reports that, in order to provide more advanced tactical training for commanders and troops operating in large numbers, it is necessary that military exercises be carried out on a large scale with a considerable degree of realism;

That this will necessitate military manoeuvres being carried out over a large area and in so doing certain private interests may be affected; and

That it is essential, in the interests of the State, and for the efficient prosecution of the war, that certain powers in respect of military manoeuvres be obtained, said powers being similar in principle to those in force in the United Kingdom under the Military Manoeuvres Act, 1897.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and not-

withstanding the provisions of any other Statute, Law or Regulation, is pleased to make the following Regulations and they are hereby made and established accordingly:—

REGULATIONS

1. These Regulations may be cited as "The Manoeuvre (Canada) Regulations, 1941".

2. The Minister of National Defence may from time to time by an Order issued in that behalf authorize the execution of military manoeuvres over and upon specified areas or within specified limits and during a specified period or specified periods.

3. Any such Order as aforesaid made by the Minister, or a copy of any such Order which the Minister proposes to make, shall, not less than three weeks before the same is to come into force and operation, be sent to the Mayor, Reeve, Warden or other chief officer of each City, Town, Village, Municipality, County or Township wholly or partly within the area or limits specified in any such Order; and said Order or Notice of intention to make the same shall, not less than two weeks before said Order is to come into force and operation, be advertised in at least two newspapers circulating generally within the District to which the said Order or intended Order relates.

4. In the event of any Order being made by the Minister under these Regulations authorizing the execution of military manoeuvres, such persons as are, pursuant to said Order, engaged in these manoeuvres (in these Regulations referred to as "Authorized Forces") may to the extent as set out in said Order—

- (a) pass over and encamp, construct military works not of a permanent character, and execute military manoeuvres on all lands within the area or limits as specified in said Order (all said lands being referred to in these Regulations as "authorized land") and
- (b) supply themselves with water from such sources as may be available and for that purpose dam up any running water: Provided always that such damming up of water does not interfere with the carrying on of any trade or industry and that nothing in these Regulations shall authorize the taking of water from any source of supply belonging to a private owner or public authority except with the permission of said private owner or public authority as the case may be.

5. In the event that any said manoeuvres are such as to require the temporary closing of highways and roads or to restrict the traffic thereon, the authority having the power to stop, regulate or control traffic on any such highway or road shall, upon not less than 48 hours notice from the Officer Commanding any such Authorized Force and to the extent and within the times and in the areas specified in any such notice, stop, restrict or otherwise control, in accordance with the terms of such notice, all traffic on the highways and roads as specified in said notice; Provided that, notwithstanding that any such notice may have been given by the said Officer Commanding and acted upon by the said authority, such facilities as in the opinion of such Officer Commanding the exigencies of the moment may permit shall be afforded to all persons wishing to travel on any such highway or road.

6. (1) The Minister shall constitute a Board or, if he deems necessary, two or more Boards, either prior to or immediately following the issue of an Order in pursuance of Section 2 of these Regulations (any such Board so constituted shall, for the purposes of these Regulations, be referred to as a "Manoeuvres Board"), and each said Board shall consist of two representatives of the Department of National Defence, one of whom shall be chairman, and a

person nominated by the Minister, who shall be deemed to be representing and acting on behalf of the various Municipalities and parties wholly or partly within the area or limits specified in any Order which the Minister may make in pursuance of the said Section 2 of these Regulations.

(2) The powers, duties and functions of any such Manoeuvres Board shall be:—

- (a) To consult with the appropriate Military authorities who shall, as may be required by the Board, furnish thereto such information respecting the area over which the manoeuvres are to be carried out, the nature of such manoeuvres having regard to the private interests which may be affected thereby so as to enable the Board to determine what preliminary negotiations and arrangements are required to be made with any parties whose interests may be affected by said manoeuvres.
- (b) On receiving such relevant information as is generally set out in clause (a) of this paragraph, to consult with the local Provincial and Municipal authorities having jurisdiction in the area over which the manoeuvres are to be carried out, and with such other parties as to the Board seems fit, and to ascertain and determine the methods by which effect may be given to the manoeuvre plans and schemes proposed by the Military authorities concerned, due regard being had to the interests of those parties which might be adversely affected thereby, but so far as possible, without adversely affecting any such proposed manoeuvre plan or scheme. In the performance of these duties, the Manoeuvres Board shall, through its Chairman, have power to avail itself of the services of any Military personnel which may, having regard to the exigencies of the moment, be available.
- (c) To determine the extent and amount of any pecuniary loss, as referred to in Section 8 of these Regulations.
- (d) To determine whether or not such pecuniary loss was contributed to by the negligence of the claimant, or of a servant of the claimant, acting within the scope of his duties or employment, or by failure on the part of any such claimant or servant to comply with the provisions of these Regulations.
- (e) To conduct such investigation and obtain such statements as it may deem necessary for the purpose of this Section.
- (f) To certify to the Chief Treasury Officer the amount properly payable in respect of any such pecuniary loss.
- (g) To prescribe the Form of Release to be given by any claimant in respect of whose pecuniary loss payment in full and final settlement is to be made.

Provided that, in the event of any person not being satisfied with the amount of compensation determined by the Board in respect of any such pecuniary loss, that person shall have the right to have said compensation determined by the Exchequer Court: upon reference thereto being made by the Minister of Justice pursuant to Section 7 of the War Measures Act.

7. In the event of any compensation being determined by any such Board as aforesaid and the party to whom the sum is payable having agreed to accept said compensation in full and final settlement of all claims in respect of said military manoeuvres having been carried out over his lands or his person or property being injuriously affected thereby, then, upon said person giving a Release in form satisfactory to the Deputy Minister of Justice, the Chief Treasury Officer shall upon a certificate of the Board pay to such person the amount so certified, the expenditure involved to be chargeable to War Appropriation.

8. In the event of any claim being made against the Crown in respect of pecuniary loss arising out of death or injury to persons or damage to property caused by the execution of military manoeuvres carried out in pursuance of any Order issued under these Regulations, full compensation shall be made out of moneys provided or to be provided by Parliament for any such pecuniary loss complained of, including all expenses reasonably incurred in protecting person, property, rights and privileges and any damage, by reason of excessive weight or extraordinary traffic, caused to any road or highway for the repair of which any public body or individual is responsible unless such loss was, in the opinion of an appropriate Manoeuvres Board contributed to by the negligence of the claimant or of a servant of the claimant acting within the scope of his duties or employment, or by failure on the part of any such claimant or servant to comply with the provisions of these Regulations.

9. (1) If, within the area or limits and during the period specified in any Order authorizing military manoeuvres under these Regulations, any person—

(a) wilfully and unlawfully obstructs or interferes with the execution of the manoeuvres; or

(b) without due authority enters or remains in any camp, such person shall be liable on summary conviction to a fine not exceeding \$10 and he and any animal or vehicle under his charge may be removed by any constable or by any member of the Authorized Forces on the order of any Commissioned Officer of the Authorized Forces.

(2) If within the area or limits and during the period specified in any such Order, any person—

(a) without due authority moves any flag or other mark distinguishing, for the purposes of the manoeuvres, any lands; or

(b) maliciously cuts or damages any telegraph, telephone or transmission wire laid down by or for the use of the Authorized Forces, he shall be liable on summary conviction to a fine not exceeding \$25.

10. The Minister of National Defence shall have power to issue or cause to be issued such Orders and instructions as are necessary to give effect to these Regulations and to the spirit and intent thereof.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council establishing The Secret Documents (Non-Publication)
Order 1941**

P.C. 5135

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 15th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of National Defence reports that a large number of the Regulations and Orders made or issued under the Naval Service Act, the Militia Act, and The Royal Canadian Air Force Act, as the case may be, are

by the Act concerned required to be published in the *Canada Gazette*, or, if said Regulations and Orders are to have the same force in law as if they formed part of the Act concerned, are required so to be published;

That many of said Regulations and Orders are of a confidential nature, and the publication thereof in the *Canada Gazette* would convey information likely to be useful to the enemy which, having regard to the state of war now existing, ought not so to be conveyed; and

That, having regard to the foregoing, it is considered necessary for the safety of the State and the efficient prosecution of the war that the publication in the *Canada Gazette* of such Regulations and Orders as would be likely to convey information useful to the enemy should be omitted or deferred.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence, concurred in by the Minister of National Defence for Air and the Minister of National Defence for Naval Services, and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Act, Law or Regulation, is pleased to order, and doth hereby order as follows:—

1. This Order may be cited as The Secret Documents (Non-Publication) Order, 1941.
2. Notwithstanding anything to the contrary contained in the Naval Service Act, the Militia Act, or The Royal Canadian Air Force Act, in cases where any Regulation or Order made by the Governor in Council or by the Minister, in pursuance of any of the said Acts, is required by any of the said Acts to be published in the *Canada Gazette*, or where, in order to have the force of law as if the same formed part of any of the said Acts, any such Regulation or Order is required so to be published, publication in the *Canada Gazette* may be omitted or deferred if a certificate is appended thereto, signed as provided in section 3 hereof, to the effect that the Governor in Council or the Minister, as the case may be, considers that such omission or deferment is necessary for the safety of the State or the efficient prosecution of the war now existing or that such publication would be likely to convey information useful to the enemy.
3. The certificate mentioned in section 2 hereof shall, in the case of a Regulation or Order made under the provisions of any of said Acts by the Governor in Council, be signed by the Clerk of the Privy Council, and in the case of a Regulation or Order made under the provisions of any of said Acts by a Minister, such certificate shall be signed by that Minister.
4. Any such Regulation or Order, when so certified, shall, notwithstanding that it has not been published in the *Canada Gazette*, have full force and effect as if the same had been so published.
5. The provisions of this Order shall be deemed to have come into force and operation as of and from the 1st day of January, 1941.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

Order in Council approving maximum prices and markups in
respect of millfeeds

Canada Gazette, 19th July, 1941

P.C. 5157

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 10th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Labour reports that prolonged drought and other adverse weather conditions have produced a critical situation for producers of milk and other live stock products in certain parts of Canada;

That similar conditions in parts of the United States, together with the fact that the price of wheat in the United States is being maintained at a level higher than exists in Canada, have resulted in abnormally high millfeed prices in the United States;

That notwithstanding very heavy production of millfeeds in Canada resulting from large export orders for flour, the high price and heavy demand in the United States have resulted in a rapid rise in the prices of millfeeds in Canada to approximately the export level;

That such prices are likely to endanger the production of milk and of other live stock products and thus prejudice the fulfilment of certain contracts entered into with the Government of the United Kingdom;

That it is proposed to take action at once, under the powers conferred by Order in Council P.C. 1/1560 of March 4, 1941, to restrict the exportation of millfeeds from Canada, or certain areas of Canada, with a view to conserving the supply for urgent domestic requirements;

That in the joint opinion of the Acting Minister of Agriculture, the Agricultural Supplies Board and the Wartime Prices and Trade Board, conservation of supplies of such feeds in Canada is not in itself sufficient, but must, to be effective in the emergency, be accompanied by provision for the sale of such feeds at prices lower than those at present prevailing; and

That the Wartime Prices and Trade Board is empowered, subject to the approval of the Governor in Council, to fix maximum prices or maximum markups in respect of materials entering into the production of necessities of life;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and pursuant to the powers conferred by the War Measures Act and otherwise, is pleased to approve and doth hereby approve the exercise from time to time by the Wartime Prices and Trade Board of the power to fix maximum prices or maximum markups in respect of bran, shorts, middlings or other wheat offal.

His Excellency in Council is further pleased to authorize and doth hereby authorize the Wartime Prices and Trade Board to make such requirements in respect of terms and conditions of sale or delivery as in the circumstances it may deem reasonable and necessary.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing suspension operations of the Petroleum
and Naphtha Inspection Act**

P.C. 45/5204

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
16th July, 1941.*

The Board recommend, under the provisions of the War Measures Act, that in the interests of economy authority be granted to suspend operations of the Petroleum and Naphtha Inspection Act, being Chapter 159, R.S.C. 1927, as amended by Chapter 22 of the Statutes of 1932 and regulations established thereunder.

*(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.*

Order in Council establishing regulations—drawback for export

Canada Gazette, 2nd August, 1941

P.C. 55/5204

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
16th July, 1941.*

The Board recommend that, under the provisions of Section 3 of the War Measures Act, the following regulations be made and established for the duration of the war:—

*** DRAWBACK FOR EXPORT**

When two materials of the same class, imported at different tariff rates, are used in Canadian manufactures, separately or together, there may, subject to the following conditions, be allowed a drawback of ninety-nine per cent of the duties and/or taxes paid at the higher tariff rates, on all such materials imported and used by the manufacturer in the manufacture of the goods exported and other goods; provided that such drawback shall not be payable unless a like quantity of materials of the same class was used in, wrought into or attached to articles manufactured in Canada and exported;

- (1) Except as may be otherwise provided by Order of the Governor General in Council the whole of the drawback shall be paid to the manufacturer or producer or exporter of the goods as exported;
- (2) The quantities of the goods used and the amount of duties and/or taxes paid thereon shall be ascertained;
- (3) Satisfactory evidence shall be furnished in respect of the manufacture or production of the articles in Canada and exportation therefrom;
- (4) Claims for drawback submitted on and after the 10th day of September, 1939, shall not cover goods exported for a period of more than twelve consecutive months and must be filed with the

- Collector of Customs and Excise and complete documentary evidence attached thereto within a period of six months from the date of the last export entry covered by the claim. Such draw-back claims shall not be paid unless the duties and/or taxes have been paid on the goods so used as aforesaid within three years of the date of the exportation of the Canadian article, nor unless the claims as presented at any one time aggregate ten dollars;
- (5) Claims for drawback shall be made under oath before a Collector, Justice of the Peace or Commissioner for taking Oaths, in such form as the Minister of National Revenue shall prescribe and shall, before payment, be verified to the satisfaction of the Minister, who may require, in any case, the production of such further evidence, in addition to the usual averments, as he deems necessary to establish the bona fides of the claim;
- (6) Upon the exportation of any³ article entitled to drawback, export entries, in triplicate, in the usual form (with the words "Subject to Drawback" marked on the face), shall be filed with the Collector at the port of exit from Canada, naming the conveyance by which and the country or place to which the goods are to be exported and fully describing the kind and quantity thereof and also the marks and numbers on the packages;
- (7) The following documents shall be delivered with the claim for drawback, viz.:—
- (a) A copy of the import entry showing the payment of the duties and/or taxes covering the goods on which drawback is claimed. If a copy of the import entry, however, has been furnished with a previous claim for drawback, it will be sufficient to "refer" to such copy and indicate the claim to which it was attached, without furnishing a further copy of the entry. If the tax for which drawback is claimed was paid on a domestic sale, the original invoice or a certified true copy thereof, representing such domestic sale, showing thereon the amount of tax paid and the number and date of the excise entry in which was included the amount of such tax paid to a Collector, shall be furnished. Should the domestic invoice, however, have been furnished with a previous claim for drawback, it will be sufficient to "refer" to such and indicate the drawback claim to which it was attached;
 - (b) A certified true copy of the export invoice;
 - (c) A copy of the export entry, duly numbered and certified by the Collector at the port of exit where the articles were entered for exportation from Canada.
 - (d) A certificate of importation and sale, in form prescribed by the Minister, when the claimant entitled to drawback is not the importer of the goods.
 - (e) A certificate of sale for exportation, in form prescribed by the Minister, when the claimant is the manufacturer or producer but not the exporter or is the exporter but not the manufacturer or producer.
- (8) Drawback is not payable in respect of Customs penalties imposed on imported materials nor when the article exported is subject to a bounty to be paid by the Dominion Government on such article when made in Canada.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations governing drawback on goods imported into Canada and exported therefrom

Canada Gazette, 2nd August, 1941

P.C. 56/5204

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 16th July, 1941.

The Board recommend that, under the provisions of Section 3 of the War Measures Act, the following regulations governing drawback on goods imported into Canada and exported be made and established for the duration of the war:—

REGULATIONS GOVERNING DRAWBACK ON GOODS IMPORTED INTO CANADA AND EXPORTED THEREFROM

When imported goods on which duties and/or taxes have been paid are exported from Canada, there may, subject to the following conditions and for the duration of the war, be allowed a drawback of ninety-nine per cent of the duties and/or taxes paid thereon;

- (1) The exporter must be the importer of the goods;
- (2) Whole packages of goods as imported may be broken and part only thereof exported, but no use shall have been made in Canada of the goods exported;
- (3) The quantity of such goods imported and exported and the amount of duties and/or taxes paid thereon shall be ascertained;
- (4) Notice, in form prescribed by the Minister of National Revenue, of intent to claim drawback shall be filed with the Collector of Customs and Excise on exportation of the goods and documentary evidence shall be furnished in respect of the importation of the goods into Canada and their exportation therefrom;
- (5) Claims for drawback submitted on and after the 1st day of July, 1941, shall not cover goods exported for a period of more than twelve consecutive months and must be filed with the Collector and complete evidence attached thereto within a period of six months from the date of the last export entry covered by the claim. Such drawback claims shall not be paid unless the duties and/or taxes have been paid on the goods within three years of the date of exportation thereof, nor unless the entered value for duty of the exported goods, on which claim is made, is in the aggregate more than fifty dollars;
- (6) Claims for drawback shall be made under oath before a Collector, Justice of the Peace or Commissioner for taking Oaths, in such form as the Minister shall prescribe and shall, before payment, be verified to the satisfaction of the Minister, who may require, in any case, the production of such further evidence, in addition to the usual averments, as he deems necessary to establish the bona fides of the claim;
- (7) Upon the exportation of goods entitled to drawback, export entries, in triplicate, in the usual form (with the words "Subject to Drawback" marked on the face), shall be filed with the Collector

at the port of exit from Canada, naming the conveyance by which and the country or place to which the goods are to be exported and fully describing the kind and quantity thereof and also the marks and numbers on the packages;

- (8) The following documents shall be delivered with the claim for drawback:—
- (a) A copy of the import entry showing payment of duties and/or taxes on the goods imported and exported, on which drawback is claimed. If a copy of the import entry, however, has been furnished with a previous claim for drawback, it will be sufficient to "refer" to such copy and indicate the claim to which it was attached, without furnishing a further copy of the entry;
 - (b) A copy of the notice of intent to claim drawback, as required by paragraph (4);
 - (c) A certified true copy of the export invoice;
 - (d) A copy of the export entry, duly numbered and certified by the Collector at the port of exit where the goods were entered for exportation from Canada;
 - (e) A copy of the bill of lading of the goods exported, duly certified as such by the carrier or his agent. When a shipment is made from a Canadian seaport and a certified true copy of a through bill of lading from original point of lading is not available, both rail and ocean bills of lading are required to be filed with the claim;
- (9) Goods imported will not be subject to drawback under these regulations if they are thereafter exported to the country from which they were imported.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations—compensation to seamen
P.C. 87/5204

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
16th July, 1941.*

The Board had under consideration the following memorandum from the Honourable the Acting Minister of Transport:—

"The undersigned Minister of Transport, with the concurrence of the Minister of Pensions and National Health, has the honour to report that:

1. Order in Council P.C. 3358 of November 10, 1939, as amended by P.C. 91/3191 of May 6, 1941, provides for compensation for war damage to the effects of Canadian salt-water fishermen and members of crews of ships of Canadian registry or licence;

2. Order in Council P.C. 3359 of November 10, 1939, as amended by P.C. 10/4209 of June 12, 1941, provides for pensions in respect of disability or death due to enemy action, suffered by Canadian salt-water fishermen and members of crews of ships of Canadian registry or licence;

3. Order in Council P.C. 12/4209 of June 12, 1941, provides compensation for detention in foreign countries in respect of personnel of ships of Canadian registry or licence and persons of Canadian nationality employed upon fishing vessels or boats engaged in the fishing industry of Canada in tidal waters;

4. The Committee on War Risks Insurance and Bombardment Compensation have recommended that these compensation and pension schemes should, subject to certain conditions, be extended to cover seamen of Canadian nationality serving on ships of non-Canadian registry or licence. Following is an excerpt from the Committee's recommendation:

'1. That the provisions of Orders in Council P.C. 3358 and 3359 (dealing with compensation to merchant seamen for loss of effects, injury and death) and of the pending Order in Council dealing with detention allowances for merchant seamen, should be amended to cover all merchant seamen of Canadian nationality, whether serving on vessels of Canadian registry or on vessels of British or foreign registry.

Provided, in the case of any vessel of non-Canadian registry, that the vessel must have been engaged, in the judgment of the Transport Controller, in essential war work on behalf of the British Commonwealth or its Allies at the time when the voyage in question commenced.

'2. That the definition of Canadian nationality for this purpose shall be that as defined by Chapter 21 of the Revised Statutes of Canada, 1927.

'3. That in the application of these Orders in Council to members of crews of ships other than those which are British ships registered in Canada, the benefits accorded by the Canadian Government shall be subject to adjustment in relation to any benefits received or receivable from any other source, so that no seaman shall receive total benefits greater than those set forth in the aforesaid Orders in Council.

'4. That in the judgment of the Committee these amendments should be made immediately, to be followed by negotiations with the non-Canadian governments involved for the purpose of ensuring that those governments will give, to Canadian seamen on their ships, or to the Canadian Government on such seamen's behalf, the same compensation they give to their own nationals. The majority of the Committee feel that this course should be followed, in view of the importance to Canada of manning non-Canadian ships.'

The undersigned, with the concurrence of the Minister of Pensions and National Health, therefore has the honour to recommend that:

1. The Committee's recommendation be approved.

2. (1) Order in Council P.C. 3358 of November 10, 1939, be further amended by adding the following as paragraph (e) of Regulation 3:

(e) 'A Canadian national who is the master or member of the crew of a ship not of Canadian registry or licence, provided that the Transport Controller certifies that the ship was engaged in essential war work on behalf of the British Commonwealth or its Allies at the time when the voyage in question commenced.'

(2) P.C. 3358 be further amended by adding the following as Regulation 8:

8. 'Notwithstanding any other part of these Regulations, the appropriate Department shall, when dealing with applications by the persons described in paragraph (e) of Regulation 3, subtract from the compensation awarded under Regulation 4 the amount of compensation payable to the applicant under the laws of the country in which the ship was registered or licensed.'

3. (1) Order in Council P.C. 10/4209 of June 12, 1941, be amended by adding the following as paragraph (g) of Regulation 1:

(g) "'certified non-Canadian ships'" means a ship not of Canadian registry or licence which the Transport Controller certifies was engaged in essential war work on behalf of the British Commonwealth or its Allies at the time when the voyage in question commenced.'

(2) P.C. 10/4209 be further amended by inserting the following immediately before the words 'during the war' in Regulation 2:

'and of all persons of Canadian nationality who while serving on any certified non-Canadian ship,'.

(3) P.C. 10/4209 be further amended by adding the following as paragraph (a) of Regulation 7:

7. (a) 'Notwithstanding any other part of these Regulations, the Canadian Pension Commission shall, when dealing with the case of a person of Canadian nationality who served on a certified non-Canadian ship, subtract from the pension payable under Regulation 3 the amount of pension payable to the claimant under the laws of the country in which the ship was registered or licensed.'

4. Order in Council P.C. 12/4209 of June 12, 1941, be amended by rescinding paragraph 1 and substituting the following therefor:

1. '(a) That compensation by way of detention allowance may be awarded to the personnel of ships of Canadian registry or licence, and persons of Canadian nationality serving on any ship not of Canadian registry or licence which the Transport Controller certifies was engaged in essential war work on behalf of the British Commonwealth or its Allies at the time the voyage in question commenced, and persons of Canadian nationality employed upon fishing vessels or boats engaged in the fishing industry of Canada in tidal waters, for loss occasioned by the discontinuance, in whole or in part, of the remuneration for employment of which they were theretofore in receipt, in consequence of their detention resultant from capture or internment in a foreign country.

(b) The compensation in each case shall be in such sum, and such sum only, as shall assure the continued receipt by or on behalf of the person during the period of his detention of the remuneration theretofore paid to or in respect of him by his employer.

(c) In the case, however, of a fisherman engaged upon a proceeds-sharing basis, such allowance shall be a sum equivalent to a due proportion of his earnings from such engagement over the preceding twelve months.

(d) Notwithstanding any other part of these Regulations, the Canadian Pension Commission shall, when dealing with the case of a person of Canadian nationality who served on a certified non-Canadian ship, subtract from the detention allowance payable the amount of any detention allowance payable to the claimant under the laws of the country in which the ship was registered or licensed.'

5. The Secretary of State for External Affairs shall undertake the negotiations recommended in paragraph 4 of the Committee's recommendation."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations governing the welfare and treatment of refugees

P.C. 5246

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 15th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council, dated 13th December, 1939 (P.C. 4121), "Regulations governing the Maintenance of Discipline Among and Treatment of Prisoners of War" were made and established;

And whereas by Order in Council dated 25th June, 1941 (P.C. 4568), authority was given for the classification as Refugee Camps of certain Internment Camps occupied by persons who have heretofore been classified as Prisoners of War, Class 2, under the Order in Council of the 13th December, 1939 (P.C. 4121);

And whereas the Secretary of State reports that it is desirable that the persons detained in the Camps determined to be Refugee Camps and any other Prisoners of War, Class 2, who may be hereafter transferred to such Camps should, while detained in such Refugee Camps, be subject to special Regulations governing the Welfare and Treatment of Refugees.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Secretary of State, and under the authority of the War Measures Act (Chapter 206, R.S.C. 1927), and notwithstanding the provisions of any other Act or law, is pleased to make the Regulations hereto appended, marked "A" governing the Welfare and Treatment of Refugees, and they are hereby made and established accordingly, these Regulations, together with any rules made and instructions issued thereunder, to extend to and apply to all persons who are now or who may hereafter be detained in Refugee Camps, and to have force and effect as of and from the 1st day of July, 1941.

His Excellency in Council, on the same recommendation, and under the above cited authority is further pleased to authorize and doth hereby authorize the Secretary of State, in any case where it may appear expedient in the public interest that any person detained in a Refugee Camp should be transferred to an Internment Camp for Prisoners of War, Class 2, to order the transfer of said person, upon the recommendation of the Commissioner of Refugee Camps, to an Internment Camp; the regulations made by Order in Council P.C. 4121, 13th December, 1939, to apply to such person thereafter.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

I. ORDERS FOR REFUGEES

1. Refugees will comply with all rules and regulations deemed necessary for their safety, good order and discipline.
2. Refugees will be subject to the orders of all officers, guards and sentries placed over them. All such orders will be obeyed immediately.
3. Any Refugee guilty of disobedience to orders or of any act prejudicial to the safety, good order or discipline of the camp will be liable to punishment.
4. Deliberate disobedience, coupled with resistance or apprehended resistance to officers, guards or sentries, or other conduct of a mutinous or riotous kind, will if necessary, be dealt with by force.
5. It is to be distinctly understood that any Refugee attempting to pass the boundary fence, wall, or to go out through any gate, exit or other opening without a permit signed by the Commandant after being once duly warned and disregarding that warning, may be stopped by force.
6. Refugees will not converse with any person other than a Camp Officer or a Refugee, unless under authority of these rules, or by special permission of an officer of the Refugee Camp staff.
7. Refugees will be permitted freedom in the performance of their religious duties.
8. Refugees will not consume liquor, ale or beer, or have it in their possession without special permission.
9. All gambling or betting is strictly prohibited.

II. ORGANIZATION

10. Refugees will be divided into groups by buildings, huts or dormitories, or as may be decided.
11. The members of each group will select a representative who will assist the camp staff in maintaining order in his group and will bring to the notice of the staff any matter bearing upon the comfort or well being of the Refugees which requires attention. The appointment of such representatives shall be subject to the approval of the Commandant.
12. A canteen for the use of the Refugees and an infirmary shall be established in each refugee camp.
13. A medical inspection of Refugees shall be carried out at least once a month. The object of such inspections shall be the supervision of the general state of health and cleanliness, and to detect symptoms (if any) of tuberculosis and venereal disease.
14. Hygienic measures will be those heretofore observed and as may be prescribed from time to time.

III. PERSONAL PROPERTY OF REFUGEES

15. Refugees will only be allowed to have in their possession such sums of money or other property as the Camp Commandant may from time to time allow.
16. All effects taken from a Refugee shall be duly inventoried and put in safe keeping and shall be returned to him on release or parole.

17. All moneys taken from a Refugee shall be credited to his account and dealt with in accordance with instructions issued by the Commissioner of Refugee Camps relating to financial accounting. A receipt shall be given to the Refugee for all moneys so taken.

18. Facilities will be granted, subject to the approval of the Commandant, for the drawing of wills and execution of other legal documents.

IV. EMPLOYMENT OF REFUGEES

19. (a) Refugees shall not receive pay for work in connection with the administration, internal arrangements and maintenance of the camp. Where Refugees are employed on construction or improvement of quarters for their own use, no pay will be granted.

(b) An exception to the above rule may be made on the Camp Commandant's recommendation, duly approved by the Commissioner of Refugee Camps, in the case of Refugees employed as cooks or in other useful capacities; their employment preventing them from earning money through other labour.

20. No Refugee should be employed on work for which he is physically unsuited or in dangerous or unhealthy work.

21. Sunday or, in the alternative, one day in every seven days shall be observed as a day of rest and no work, other than routine duties, shall be performed, except in case of emergency.

22. Pay earned by Refugees will be credited to their accounts in accordance with financial instructions issued under authority of the Commissioner of Refugee Camps.

23. The rate of pay for Refugees shall be 20 cents per day for such days as Refugees are employed.

24. Upkeep of buildings, fences, gates and camp premises, generally, will, as far as possible, be maintained by the labour of the Refugees under the direction of the Camp Commandant and his staff.

V. VISITORS TO REFUGEE CAMPS

25. (a) Representatives of welfare organizations and any other persons, provided they are in possession of permits signed by the Commissioner of Refugee Camps, shall be permitted to visit Refugees and all parts of the camp occupied or used by them.

(b) Refugees shall be permitted to receive visitors subject to rules and conditions issued by the Commissioner of Refugee Camps.

VI. CORRESPONDENCE AND CENSORSHIP

26. Every Refugee will be permitted to send and receive letters and parcels, subject to such rules as may be made by the Commissioner of Refugee Camps.

VII. RELEASES, TRANSFERS, ILLNESS, DEATHS

27. No Refugee housed in a temporary or permanent Refugee Camp is to be released without the authority of the Commissioner of Refugee Camps.

28. Refugees about to be transferred shall be notified in advance of their new destination.

29. Instructions relating to notification of relatives in case of serious illness, deaths, burials and disposal of effects will be issued under authority of the Commissioner of Refugee Camps.

VIII. SUMMARY PUNISHMENT

30. The Commandant of a Refugee Camp, upon receiving information of a charge made against a Refugee under his custody of having committed an offence, shall dismiss the charge if he, in his discretion, thinks it ought not to be proceeded with, but where he thinks the charge ought to be proceeded with, he may, forthwith, submit a report to the Commissioner of Refugee Camps, who will give such instructions as may be necessary, or he may deal with the case summarily.

31. Any charges against Refugees will be framed in accordance with Annexure "A" to the Rules of Procedure appended to the Regulations established by Order in Council P.C. 4121 of December 13th, 1939, and the statement of the offence shall be framed in accordance therewith.

32. Where the Commandant or officer commanding proceeds to deal with the case summarily under the preceding paragraph, he may award the offender the following punishments, hereinafter referred to as summary punishments:—

(a) detention for any period not exceeding twenty-eight days

or

(b) confinement to quarters for any period not exceeding fourteen days, during which period the offender shall be required to answer his name at uncertain hours throughout the day, and shall be employed on extra fatigue duties:

Provided that—

- (i) in every case where the Commandant or officer commanding proposes to deal with the case summarily, the accused person may demand that the evidence against him shall be taken on oath, and the same oath or solemn declaration as that required to be taken by witnesses before a military court, shall be administered to each witness in such case;
- (ii) where, during the course or after the termination of a period of detention, a Refugee is sentenced to a fresh term of detention by summary award, a period of at least three days shall intervene at the termination of the former award or between each of the periods of detention, as the case may be, if one of such periods is of ten days or over.

33. The term of detention when awarded by a Commandant or officer commanding in days shall begin on the day of the award. The term of detention when awarded in hours (up to a total of 168 hours) shall begin at the hour when the Refugee under sentence is received at the detention barrack or branch detention barrack to which he is committed, or if he has not been sooner received into the detention barrack or branch detention barrack, shall begin on the day after the day of award at the hour fixed for the commitment and release of persons under sentence.

34. The scale of rations for a Refugee undergoing detention shall be the same as that authorized for Detention Barracks, etc., for the Canadian Army.

35. An offender shall not be liable to be dealt with summarily for any offence of which he has been acquitted or convicted by a competent civil court.

36. Where a Commandant considers that a charge cannot properly be disposed of in any other manner, he may apply to the Commissioner of Refugee Camps for permission to communicate with the proper civil powers in order that the accused may be dealt with by a civil court of criminal jurisdiction.

**Order in Council amending the Defence of Canada Regulations
(Consolidation) 1940—power to obtain information**

P.C. 5247

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 15th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Regulation 52 of the Defence of Canada Regulations (Consolidation) 1940 empowers officers and sentries and others on patrol or similar duty, under certain circumstances, to stop, question and obtain information from persons;

And whereas the Minister of National Defence reports that it is desirable in the national interest that the powers granted in the said Regulation be such as to facilitate detection of clever espionage and sabotage detection of which depends to a great extent on the speed with which enquiry and investigation are made and to facilitate as well the obtaining from an informant of the identity of the source of his information;

That the matter has been under consideration by the Chiefs of Staff Committee who have had the benefit of the suggestions and advice of the British Naval Security Mission; and that the Chiefs of Staff Committee have made the said regulation the subject of a recommendation dated July 5, 1941; and

That at a Meeting of the Defence Council held the 11th day of July, 1941, it was agreed that it would be advisable to amend the said Regulation 52 by revoking the same and substituting a new Regulation in the terms hereinafter set forth;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence concurred in by the Minister of National Defence for Naval Services, and under and by virtue of the War Measures Act, Chapter 206, R.S.C. 1927, and notwithstanding anything to the contrary contained in any other statute, law or regulation, is pleased to amend and doth hereby amend the Defence of Canada Regulations (Consolidation) 1940 by revoking Regulation Number 52 and substituting therefor the following regulation:

POWER TO OBTAIN INFORMATION

52. Without prejudice to any special provisions contained in these Regulations, any person shall, on being requested by or on behalf of a Minister of the Crown so to do, furnish or produce to such authority or person as may be specified in the request any such information or article in his possession as may be so specified, being information or an article which the authority or person making the request considers it necessary or expedient in the interests of the public safety, the defence of the realm or the efficient prosecution of the war to obtain or examine.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council prohibiting the importation of white wall tires

Canada Gazette, 19th July, 1941

P.C. 5291

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 15th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Order No. 004 of the Motor Vehicle Controller prohibits the manufacture, except under licence from the Controller, of white wall tires including any tire in which the manufacturing process produces a white wall or white walls or a wall or walls of any colour which differs from the colour of the tread of such tire;

And whereas the Minister of Finance reports that the continued or increased importation of white wall tires would be unfair to Canadian manufacturers who are prohibited from making them would reduce the effectiveness of the said Order in curtailing unnecessary consumption of zinc oxide and rubber, and would involve the expenditure of foreign exchange on a non-essential product;

And whereas the War Exchange Conservation Act, 1940, provides that the importation into Canada from any country not within the sterling area or Newfoundland of goods described in Schedule One of the said Act is prohibited except in such cases as the Minister of National Revenue in his discretion deems desirable and under and in accordance with the terms of a permit granted by him, and it is the intention that no permits be granted for the importation of goods described in Part One of the said Schedule.

Now therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under and by virtue of the War Measures Act, is pleased to add and doth hereby add to Part One of Schedule One to the War Exchange Conservation Act, 1940, the following Item:

*Tariff Item No.
"ex 618b et al:*

Description

White wall tires including any tire in which the manufacturing process produces a white wall or white walls or a wall or walls of any colour which differs from the colour of the tread of such tire, whether imported separately or mounted on a motor vehicle intended for sale in Canada."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council revoking Defence of Canada Regulations (Consolidation)
1940, and establishing Defence of Canada Regulations
(Consolidation) 1941**

P.C. 5295

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 15th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council, P.C. 2483, of the 3rd day of September, 1939, the Defence of Canada Regulations were made and established;

And whereas the said Regulations and amendments thereto were, by Order in Council, P.C. 4750, of the 12th day of September, 1940, consolidated under the heading "Defence of Canada Regulations (Consolidation) 1940";

And whereas the said Regulations have been further amended from time to time;

And whereas the Special Committee on the Defence of Canada Regulations, appointed by resolution of the House of Commons adopted on the 4th March, 1941, in making its fourth and final report on the 4th day of June, 1941, which was concurred in by the House of Commons on the 9th day of June, 1941, recommended that the said Regulations, as amended, be consolidated and reprinted.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under and by virtue of the power vested in the Governor in Council by the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, is pleased to order and doth hereby order as follows:—

1. The Defence of Canada Regulations (Consolidation) 1940, established by Order in Council, P.C. 4750, of the 12th September, 1940, as amended, are hereby revoked effective on and from the coming into force of the Defence of Canada Regulations (Consolidation) 1941, as provided in paragraph 5 hereof.

2. The attached Defence of Canada Regulations (Consolidation) 1941, numbered 1 to 65, inclusive, are hereby made and established in substitution for the Regulations hereby revoked.

3. All Regulations, Orders, Rules and By-laws made under the Regulations hereby revoked shall continue good and valid in so far as they are not inconsistent with the substituted Regulations until they are revoked, varied or extended under the provisions of the Regulations substituted therefor.

4. The said Defence of Canada Regulations (Consolidation) 1941, shall be printed and distributed by the King's Printer to the persons whose names appear on the Official Mailing List.

5. The said Defence of Canada Regulations (Consolidation) 1941, shall come into force and have effect on, from and after the 28th day of July, 1941.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing committees created to assist in the sale of war loan securities, etc., to place orders for stationery and printing

P.C. 5357

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 17th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Section 26 of the Public Printing and Stationery Act, R.S.C. 1927, Chap. 162, provides that the Controller of Purchases shall, under the general supervision of the King's Printer, purchase all articles of stationery and raw materials required for printing and shall place all orders and shall be responsible for all outside work of a like nature that may be required for the service of Parliament and of the several departments of the Government of Canada;

And whereas the Minister of Finance reports that experience gained in connection with the issue of the various war loans and war savings certificates has shown that it is not practicable during wartime for the Controller of Purchases to place all outside orders for stationery and printing required in connection with the wartime activities of the Government of Canada, including the issue of war loans, war loan securities, and war savings certificates;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, concurred in by the Secretary of State and under and by virtue of the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to order and doth hereby order as follows:—

1. Notwithstanding anything contained in the Public Printing and Stationery Act, any War Loan Committee, Victory Loan Committee or War Savings Committees created to assist in the sale of war loan securities or war savings certificates, and, with the approval of the Minister of Finance and the Secretary of State, any other committee set up to assist the Government in any of its war activities, may, for the duration of the war, place orders for stationery and printing outside the Department of Public Printing and Stationery, provided that the facilities of that Department (Public Printing and Stationery) for printing and stationery supplies are fully explored in connection with such orders, and that at least one representative of the King's Printer sit ex officio on any such committee;

2. Any accounts for stationery or printing ordered by any such committees before or after the date of this Order in Council may be paid upon receipt of a certificate signed by the Chairman of the Committee concerned, or by some person authorized by him, to the effect that the goods have been received or the services performed, as the case may be, and that the charges therefor are fair and reasonable;

3. Nothing herein contained shall in any way affect the duty of the Department of Public Printing and Stationery to audit all accounts for advertising.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing remission of Customs duty and Excise taxes—war supplies and equipment

P.C. 56/5484

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by the Deputy of His Excellency the Governor General in Council, on the 23rd July, 1941.

The Board recommend that authority be granted, under Section 3 of the War Measures Act, for the following Customs duty and Excise tax concessions, effective August 1, 1940, with respect to supplies and equipment acquired by the Governments of countries allied with the United Kingdom, or by units of their armed forces, and which goods are to become and remain the property of the aforementioned:—

- (1) Remission or refund of Customs duty and Excise taxes paid or ordinarily payable on goods imported;
- (2) Remission or refund of Excise taxes paid or ordinarily payable on goods purchased from licensed manufacturers or from licensed wholesalers in Canada;
- (3) Remission or refund of Excise taxes paid or payable on goods purchased from other than licensed manufacturers or licensed wholesalers, provided that the bill or invoice for such goods is for an amount over twenty-five dollars (\$25).

Provided, that arms and ammunition, including guns, machine-guns, submachine-guns, rifles, revolvers, signal pistols, grenades, explosives and pyrotechnics in any form, bombs, aerial torpedoes, tail fins, fuses and detonators, may be imported or purchased in Canada only under authority, direction and control of the Minister of National Defence.

Provided further, that if and when any of the said goods, in respect of which remission or refund of Customs duty or Excise taxes has been obtained, are sold or otherwise disposed of, either prior to or subsequent to the close of the war, they shall become subject to any Customs duties or Excise taxes ordinarily applicable at time of their disposal, unless the goods are exported or destroyed, and the person who acquires the goods, whether by purchase or otherwise, shall pay, when he obtains possession thereof, the said duties and taxes, levied at the rates then in effect, on values as determined by a Dominion Customs Appraiser or by an Excise Tax Auditor, as the case may be.

The Board further recommend that this Order in Council shall supersede and cancel Orders in Council (P.C. 48/112), dated 7th January, 1941 (P.C. 124/4274), dated 28th August, 1940, and (P.C. 57/6885), dated 26th November, 1940.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations for civil servants on leave for active service

P.C. 84/5484

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by the Deputy of His Excellency the Governor General in Council, on the 23rd July, 1941.

The Board recommend that paragraph 1 of Order in Council of September 7th, 1939, P.C. 2584, as amended by Order in Council of August 28th, 1940,

P.C. 4/4274, be cancelled and the following be substituted therefor, effective August 28th, 1940:—

- (1) Any person in the Public Service of Canada on September 7th, 1939, and any person appointed subsequent to such date to a continuing non-war position, except a person assigned as a replacement, employed as a charge to the Consolidated Revenue Fund, may be treated, subject to the approval of the head of the employing department or division of the Public Service, as being on leave of absence without pay from his civil position during the period he, as a member of the Forces, is placed on, or called into active service by the Governor in Council, or is called out for service by the Minister of National Defence.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council approving agreement marketing of apples
grown in Okanagan Valley**

Canada Gazette, 16th August, 1941

P.C. 5521

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 22nd day of July, 1941.

PRESENT:

The Deputy of
His Excellency

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Orders in Council, under the authority of the War Measures Act, certain powers and authority were extended to the British Columbia Fruit Board with respect to the marketing of apples grown in the Okanagan Valley of the Province of British Columbia in the years 1939 and 1940;

And whereas by Order in Council dated the 25th day of June, 1941, P.C. 1/4600, the agreement between His Majesty and the said Board, with respect to the marketing of apples grown in the year 1941 was approved;

And whereas the Minister of Agriculture reports that the powers and authority vested in the Board under the attached regulations which are similar to those approved in previous years are essential to enable the Board properly to perform its obligations and otherwise to comply with the provisions of the said agreement;

Therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture, and under the authority of the War Measures Act, is pleased to approve and doth hereby approve the regulations hereto attached.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

REGULATIONS UNDER WAR MEASURES ACT WITH RESPECT TO THE BRITISH COLUMBIA FRUIT BOARD

DEFINITIONS

1. In these regulations, unless the context otherwise requires,—
 - (a) "Apples" mean apples grown in the Okanagan Valley in the year 1941;
 - (b) "Board" means the British Columbia Fruit Board;
 - (c) "Okanagan Valley" means that part of the Province of British Columbia lying east of the 121st meridian of west longitude and south of the 51st parallel of north latitude.

POWERS OF THE BOARD

2. (i) The Board shall have the exclusive right to sell, ship or transport apples for delivery outside of the Okanagan Valley or to designate the agency by or through which apples may be so sold, shipped or transported, and to determine the charges that may be deducted by any such agency.

(ii) The Board shall be exclusively entitled to receive payment of the sale price of all apples sold, shipped or transported for delivery outside the Okanagan Valley after the coming into force of these regulations and the Board is duly authorized on receiving payment to give release of all claims made or to be made in respect of the sale price of apples so sold, shipped or transported.

(iii) The Board shall be entitled to recover any moneys hereafter paid to any person other than the Board on account of the sale price of apples sold, shipped or transported for delivery outside the Okanagan Valley.

POOLING OF RECEIPTS

3. (i) The Board shall have authority to conduct a pool for the distribution of all moneys paid by the Minister together with all moneys received from sales of apples and after deducting all necessary and proper disbursements and expenses and such compensation as may be determined by the Board for apples excluded from marketing, to make payment to the growers or the growers' agents in accordance with a scheme of distribution determined by the Board which shall be on the basis of like returns for apples of the same variety, grade, size, marketability and packing costs;

(ii) No shipper shall be entitled to receive or claim from the Board any sum of money for apples other than on the basis of the scheme of distribution of pool moneys as determined by the Board.

PROCESSING AND EXPORT OF APPLES

4. (i) No person other than the Board shall sell, ship or export apples for delivery out of the Okanagan Valley.

(ii) All apples of a kind grown in the Okanagan Valley and found in or exported from the Okanagan Valley, shall be deemed to have been grown in the Okanagan Valley unless otherwise proven.

(iii) No person shall use any apples, including culls, grown in the Okanagan Valley for processing except such as may be sold to him by the Board for that purpose.

INSPECTION CERTIFICATES

5. Notwithstanding anything contained in the Fruit, Vegetables and Honey Act or any regulations made thereunder, no inspection certificate shall be issued under the Fruit, Vegetables and Honey Act to any person other than the Board or a nominee of the Board.

6. Every person shall be guilty of an offence and liable on summary conviction to a fine of not less than Fifty Dollars and not more than One Hundred Dollars for a first offence, and to a fine of not less than One Hundred Dollars and not more than Two Hundred Dollars for a second or subsequent offence, and in default of payment of the fine to imprisonment for a term not exceeding one month unless the fine is sooner paid, who contravenes any provision of these regulations.

7. These regulations shall come into force on the date of publication in the *Canada Gazette*.

**Order in Council appointing inspectors for enforcement of fair wage
and labour conditions, government contracts**

P.C. 5522

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 22nd day of July, 1941.

PRESENT:

The Deputy of
His Excellency

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports that the Provincial Departments of Labour have agreed to further the war effort by co-operating in the enforcement of the fair wage and labour conditions on Government contracts;

Therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, is pleased to authorize and doth hereby authorize the Minister of Labour to appoint any provincial official or any other person authorized to inspect labour conditions pursuant to the law of any province as his duly authorized representative for the enforcement of the fair wages and labour conditions on Dominion contracts;

The Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under the authority of the War Measures Act (Chapter 206, R.S.C. 1927) is pleased to order and doth hereby order that any person who delays or obstructs the entry of any duly authorized representative of the Minister of Labour into any premises in which work is being performed pursuant to any contract with His Majesty or by any agency of His Majesty, or who refuses to produce, upon the demand of such representative, any papers and records relating to wages, hours and labour conditions, or who, being upon such premises, refuses to be interrogated by any such representative shall be guilty of offence and shall be liable upon summary conviction to a fine not exceeding two hundred dollars.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prohibiting export hogs and other pork products

Canada Gazette, 26th July, 1941

P.C. 5532

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 22nd day of July, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council dated the 13th day of December, 1939, P.C. 4076, under the authority of the War Measures Act, the Bacon Board was established with authority to regulate the export of bacon and other pork products to Great Britain pursuant to the agreement made between the governments of Canada and the United Kingdom;

And whereas under the said agreement the Board is required to deliver 425,600,000 pounds of bacon and other pork products by the 31st day of October, 1941;

And whereas the Minister of Agriculture reports that the United Kingdom Ministry of Food have requested that delivery be accelerated to the 15th day of September, 1941;

That due to increased export, other than to the United Kingdom, because of more favourable prices at a time of seasonal decrease in production and due to increased domestic consumption prior to the request by the Board to the public to curtail consumption, there are definite indications that the Board will be unable to obtain the desired quantities of bacon to meet contract requirements; and

That it is considered by the Board that a prohibition on the export of live hogs and, to points other than the United Kingdom and British possessions, a prohibition on the export of dressed hogs and other edible pork products excepting lard should result in a substantial increase in the quantity of pork products becoming available to the Board for contract requirements for the United Kingdom.

Therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to order that, effective on the 23rd day of July, 1941, the export from Canada of live hogs and, except to the United Kingdom and British possessions, the export of dressed hogs and other edible pork products, excepting lard, is hereby prohibited.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing National Research Council to employ
men of military age**

P.C. 5534

*Certified to be a true copy of a Minute of a Meeting of the Committee of the
Privy Council, approved by the Deputy of His Excellency the Governor
General on the 22nd July, 1941.*

The Committee of the Privy Council have had before them a memorandum, dated 10th July, 1941, from the Minister of Trade and Commerce, Chairman of the Committee of the Privy Council on Scientific and Industrial Research, stating that he has received a report from the President of the National Research Council, with respect to the provisions of P.C. 4759, dated 27th June, 1941, in which it is pointed out that for reasons stated therein, it will be impossible for the National Research Council to continue to undertake war work required by the Defence Services of the Department of National Defence, the Department of Munitions and Supply and other war organizations, if the Council is prohibited from employing men of military age.

The President of the Council also represents that, because of the secret nature of the great majority of the scientific war activities of the Council, it is impracticable for the Council to furnish such detailed information to the officials of the Civil Service Commission as would be necessary in order to justify that organization in certifying that such appointments are "necessary in the public interest".

The Committee, therefore, on the recommendation of the Minister of Trade and Commerce, advise that, notwithstanding the provisions of P.C. 4759, dated 27th June, 1941, the National Research Council be hereby authorized to employ men of military age, provided such men are required for war activities of the Council.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council establishing load line rules for ships making
voyages on lakes or rivers**

P.C. 5581

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 24th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Transport reports that owing to the heavy demand for the transportation of cargo on the Great Lakes, brought on by war conditions, it will be impossible to have certain commodities transported in the desired quantities before the close of this season of navigation; and

That the situation might be relieved, in a measure, if additional carrying capacity in ships were provided by allowing lesser freeboards than provided for under the Load Line Rules for ships making Voyages on Lakes or Rivers made by Order in Council of the 6th of August, 1937.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport, and under the authority of the War Measures Act, Chapter 206, R.S.C. 1927, and notwithstanding anything contained in the Canada Shipping Act, 1934, is pleased to make the following regulations to provide for the assignment to certain ships of lesser freeboards than required by the Load Line Rules for ships making Voyages on Lakes or Rivers made by Order in Council, P.C. 1903 of the 6th of August, 1937, and they are hereby made and established accordingly:—

REGULATIONS

1. The Load Line Rules referred to in these Regulations are the Load Line Rules for ships making Voyages on Lakes or Rivers, made by Order in Council of the 6th of August, 1937.
2. The ships which are eligible to be marked with load lines under these Regulations are non-passenger ships which have been or would ordinarily be assigned load lines under the Load Line Rules.
3. The provisions of the Load Line Rules, where applicable, shall apply to ships eligible to be marked with load lines under these Regulations, except as modified herein.
4. The summer freeboard as determined by the Load Line Rules, may be reduced by an amount which shall be determined by an Assigning Authority, but which shall not exceed three-tenths of an inch per foot of the corresponding summer draught.
5. The structural strength of the ship shall be sufficient for the draught corresponding to the reduced freeboard.
6. The position of the intermediate and winter load line marks shall remain as determined by the Load Line Rules.
7. Any load line certificate issued under these Regulations shall be marked to show that it has been so issued, and a copy of the certificate, with particulars of the computation of freeboard, shall be forwarded to the Chairman, Board of Steamship Inspection.
8. Load line certificates issued under these Regulations shall not remain in force after the 30th day of June, 1943, and all such certificates shall be subject to cancellation by the Minister of Transport at any time previous to that date.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations, canned salmon

Canada Gazette, 2nd August, 1941

P.C. 5631

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 26th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council of June 17, 1941, P.C. 4373, certain provision was made for securing information and controlling shipment of the

Canadian pack of canned salmon for the purpose of enabling the Canadian Government to assist the British Government in a proposal whereby the latter Government would seek to acquire two-thirds of the production of the 1941 fishing season;

And whereas the Minister of Fisheries reports that arrangements have now been completed to the end that at least two-thirds of the Canadian pack of canned salmon for the fishing season of 1941 will be made available to and be purchased by the British Government through the Canadian Government; and

That in order to insure that the requirements of the British Government under such arrangements are fully safeguarded, and to assure advantageous distribution, in the light of prevailing conditions arising out of the war emergency, of the remaining part of the canned salmon production in 1941, it is desirable that the provisions of the aforementioned Order in Council be revised and supplemented.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries and under and by virtue of the power conferred upon the Governor in Council by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased, hereby, to revoke the provisions of Order in Council of June 17, 1941, P.C. 4373 and to make the following regulations in substitution therefor, and they are hereby made and established accordingly:

REGULATIONS

1. All companies engaged in the production of canned salmon in British Columbia shall be required to register forthwith with the Minister of Fisheries, and shall report their production of canned salmon in such manner and at such times as the Minister of Fisheries may from time to time indicate.

2. All registered canned salmon producers shall provide information, supported by sworn affidavits if required, to the Minister of Fisheries, as he may require from time to time, pertaining to the disposal made of their past production of canned salmon covering any designated period.

3. Each registered canned salmon producer shall issue a declaration, on forms provided for the purpose by the Minister of Fisheries, concurrently with each sale or transfer of canned salmon produced by him, setting out the details of each such sale or transfer, and shall furnish a copy of each such declaration at time of issue to the Chief Supervisor of Fisheries, Vancouver.

4. All shipments or transfers of parcels of canned salmon from British Columbia to any other place within Canada shall be accompanied by a certificate issued by authority of the Minister of Fisheries. Such certificate shall show the number of packages of canned salmon covered by it, the size of the cans used as containers, the variety of salmon contained and the names and addresses of the consignor and consignee. In the case of shipments made by a common carrier such certificate shall be attached to the waybill. In the case of shipment by other means of transportation, certificate shall accompany the shipment to its destination. Shipments or transfers of parcels of canned salmon from British Columbia to any other place within Canada not so accompanied by such certificates shall be liable to seizure and confiscation at the absolute discretion of the Minister of Fisheries. Provided, shipments or transfers of parcels of canned salmon consigned to and marked for the British Ministry of Food, and casual shipments or transfers not exceeding 48 pounds each, shall be exempt from the requirements of this paragraph.

5. Each registered canned salmon producer shall make available for the purpose of supply to the British Ministry of Food such quantity or quantities of his production of canned salmon of the season of 1941 as may be designated from time to time by the Minister of Fisheries; and the following prices in Canadian funds per case net, f.o.b. Vancouver or Prince Rupert, unlabelled, and otherwise in accordance with terms and conditions to be communicated to each registered canned salmon producer by the Minister of Fisheries, shall be paid therefor:

	1 lb. Tall cans—48 cans to the case	½ lb. Flat cans—96 cans to the case	¼ lb. Flat cans—96 cans to the case
<i>Grade I—</i> (Sockeye)	\$12 50	\$13 75	\$8 62½
<i>Grade II—</i> (Coho, Redspring Blue-back and Steelhead).	8 75	10 00	6 75
<i>Grade III—</i> (Pink and Chum).....	5 00	6 25	4 37½

6. For the purpose of these regulations, canned salmon shall mean and include Pacific salmon of all species of *Oncorhynchus*; also, steelhead trout (*Salmo gairdneri*).

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations, wheat deliveries and sale

P.C. 5665

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 26th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, is pleased to amend and doth hereby amend the Regulations governing the deliveries and sale of wheat in Canada, made by Order in Council of 30th May, 1941, (P.C. 3849) by the addition thereto of the following regulations:

32. Effective August 1, 1941, the first quota on wheat deliveries shall be 5 bushels per authorized acre. By "authorized acre" is meant the wheat acreage specified on the inside cover of the 1941-42 permit book for the farm concerned.

33. For the present, no delivery quotas will be established on oats, barley, rye and flaxseed and deliveries of these grains do not need to be recorded in the permit books, nor do these grains have to be delivered at the delivery point specified in the permit book.

the said amendments having been requested by the Canadian Wheat Board.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council ordering control of exportation of commodities listed

Canada Gazette (Extra), 9th August, 1941

P.C. 5678

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 31st day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Trade and Commerce reports that it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, in addition to those enumerated and described in Schedule One of Order in Council P.C. 4366 of June 17, 1941, deemed capable of being converted into or made useful in military, naval and air stores, in order to carry out more effectively the regulations respecting Trading with the Enemy, 1939, and to conserve supplies of commodities required for Canadian and United Kingdom requirements.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206, R.S.C., 1927), is pleased to order that, effective on and after the 31st day of July, 1941, the undermentioned commodities be and they are hereby added to Groups One and Two of Schedule One of Order in Council P.C. 4366 of June 17, 1941.

Group I.—AGRICULTURAL AND VEGETABLE PRODUCTS

Grain Products

Grain screenings of feed grade

Vegetable Protein Feeds

Linseed oilcake or meal

Corn gluten feed

Brewers' dried grains

Distillers' dried grains

Malt Sprouts

Miscellaneous Feeds

Dried beet pulp

Mixed feeds

Group II.—ANIMALS AND ANIMAL PRODUCTS

Animal Proteins and Minerals

Tankage, meat meal or meat scrap containing over 6·5 per cent ammonia

Dried blood

Bone meal

Fish meal

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council transferring control of exports of feed grains from
Minister of Agriculture to Minister of Trade and Commerce**

Canada Gazette (Extra), 31st July, 1941

P.C. 5679

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 29th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Order in Council P.C. 1/1560, of March 4, 1941, vested authority in the Minister of Agriculture, to prohibit, in his discretion and to the extent that he may deem desirable, the export from Canada of oats, barley, rye, bran, middlings, shorts or wheat of Grade Four or lower grade, or any combination or mixture of these or other feed grains, whole or ground, except under permit issued by him;

And whereas Order in Council P.C. 2448, of April 8, 1941, establishing centralized control for the issuance of export permits, stated in paragraph 11 that:

"Upon the coming into force of this Order in Council the powers, duties and functions of any persons mentioned or referred to in the Orders in Council enumerated in Schedule Two hereof to grant, refuse, withhold or approve licences or permits for the export of goods shall be transferred from such persons to the Minister of Trade and Commerce and the said Orders in Council shall be deemed to be amended to the extent necessary to give full force and effect to this Order in Council."

And whereas it is deemed desirable and expedient to transfer the powers, duties and functions vested in the Minister of Agriculture by Order in Council P.C. 1/1560, of March 4, 1941, to grant, refuse, withhold or approve licences or permits for the commodities referred to in Order in Council P.C. 1/1560, of March 4, 1941, to the Minister of Trade and Commerce.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, concurred in by the Minister of Agriculture, is pleased to amend Order in Council P.C. 2448, of April 8, 1941, and it is hereby amended by adding Order in Council P.C. 1/1560, of March 4, 1941, to Schedule Two thereof.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing trainees War Emergency Training
Programmes eligible Government Employees Compensation Act**

P.C. 85/5775

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
30th July, 1941.*

The Board had under consideration a memorandum from the Honourable the Ministers of Transport and Labour reporting:—

- “1. That by Order in Council dated June 25, 1941 (P.C. 19/4600), Your Excellency in Council was pleased to order, in effect, that all persons who are or may be in training under the War Emergency Training Programme shall be deemed to be employees under the Government Employees Compensation Act, and as such be entitled (subject to certain conditions and limitations set forth in said P.C. 19/4600) to the benefits of said Act;
2. That training under the aforesaid Programme has been carried on continuously in several of the Provinces since the beginning of the current fiscal year and the undersigned deem it equitable and expedient that the aforementioned P.C. 19/4600 should be made effective to include all trainees enrolled under the aforesaid Programme during the period from April 1, 1941, to the date of said P.C. 19/4600, namely, June 25, 1941, inclusive.

The undersigned, therefore, recommend that Your Excellency in Council be pleased to declare that Order in Council dated June 25, 1941 (P.C. 19/4600) be fully effective for the period of April 1, 1941, to June 25, 1941, inclusive.”

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Dairy Products Board regulations

Canada Gazette (Extra) 5th August, 1941

P. C. 5827

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 29th day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council dated the 23rd day of May, 1940, P.C. 2138, regulations were made establishing the Dairy Products Board with authority to regulate the export of dairy products to the United Kingdom, under agreements

made between the governments of Canada and the United Kingdom and, inter alia, to fix the minimum price to be paid by manufacturers and exporters for dairy products;

And Whereas by Order in Council dated the 7th day of May, 1941, P.C. 3197, regulations were made empowering the Dairy Products Board to limit or restrict the quantity of any dairy product that may be purchased by any person;

And whereas by Order in Council dated the 10th day of May, 1941, P.C. 3230, minima prices were established for first grade creamery butter sold in Canada during the months of May to October in the current year;

And whereas the Minister of Agriculture reports that it is now deemed necessary in the interest of the industry and in order effectively to carry on the spirit and intent of the regulations, to vest the Dairy Products Board with authority to regulate the quantity of any dairy product that may be imported into Canada and to require any person importing any dairy product into Canada to obtain a licence from the Board so to do;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act, is pleased to amend the regulations established by Order in Council dated the 23rd day of May, 1940, P.C. 2138, and they are hereby amended by adding to clause 4 (1) thereof the following paragraphs:

- "(y) to regulate the quantity of any dairy product that may be imported into Canada;
- (z) to require any person importing any dairy product into Canada to obtain a licence from the Board so to do."

(Sgd). A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing active militia to be called out to suppress riots, etc., on request of Minister of Munitions and Supply

Canada Gazette (Extra), 7th August, 1941

P.C. 5830

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 29th day of July, 1941.

PRESENT:

HIS EXCELLENCE

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Justice reports that in order to insure without interruption the flow of supplies and munitions of war and the construction of all defence projects it may in some circumstances become necessary to authorize the Minister of National Defence to call out and employ the Active Militia to prevent or suppress riots, disturbances of the peace or other actions likely to impede or obstruct the production or delivery of munitions of war or supplies or the construction of defence projects;

Therefore, as a measure for the security, defence, peace, order and welfare of Canada, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and under and by virtue of the powers conferred

by the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, established by Order in Council P.C. 5295, dated 15th July, 1941, and they are hereby amended as follows:

1. By adding the following to Subsection 1 of Section 2

‘(ii) “strike” means a lawful strike.’

2. By inserting immediately after regulation number 51 the following:—

51A (1) The Active Militia or any corps thereof shall be liable for service as hereinafter in this regulation provided.

- (2) In any case where a riot or disturbance of the peace or without limitation by the foregoing any other action whatsoever occurs or is anticipated as likely to occur which in the opinion of the Minister of Munitions and Supply threatens to obstruct or delay the production, transportation, storage or delivery of munitions of war or supplies or the construction, remodelling, repair or demolition of a defence project the Minister may request the Commissioner of the Royal Canadian Mounted Police to take such measures as in the opinion of the said Commissioner are necessary to prevent, suppress or terminate such riot, disturbance or other action as aforesaid, actual or anticipated, and the Commissioner shall take such measures accordingly.
- (3) If the municipal and provincial police forces and the Royal Canadian Mounted Police available for the purpose are, in the opinion of the Commissioner, inadequate or ineffectual to prevent, suppress or terminate such riot, disturbance or other action as aforesaid, the Commissioner shall immediately notify the Minister of Munitions and Supply accordingly.
- (4) Thereupon the Minister of Munitions and Supply may notify the Minister of National Defence of the circumstances aforesaid and the Minister of National Defence shall thereupon issue a direction that the Active Militia take such measures as may be necessary to prevent, suppress or terminate such riot, disturbance or other action as aforesaid and the Active Militia shall take such measures accordingly.
- (5) The officers and men of such Active Militia when so employed, shall, without any further authority or appointment, and without taking oath of office, be held to have and may exercise, in addition to their military powers and duties, all the powers and duties of special constables, so long as they remain so employed, but they shall act only as a military body, and shall be individually liable to obey the orders of their military superior officer.
- (6) Every officer and man of the Active Militia, at all times and while so employed, shall obey the orders of his military superior officer.
- (7) A strike or the peaceful persuasion of a person by another to take part in a strike shall not be an action to be prevented or suppressed under this regulation.

- 51B. Every person employed in the production, transportation, storage or delivery of munitions of war or supplies, or on the construction, remodelling, repair or demolition of a defence project, who does any act, or omits to do anything which he is under a duty, either to the public or to any person, to do, the natural and probable consequence of which act or omission is to obstruct or delay the production, transportation, storage or delivery of such munitions or supplies or the construction, remodelling, repair or demolition of a defence project, or who prevents or attempts to prevent any other person from engaging in the production,

transportation, storage or delivery of munitions of war or supplies or in the construction, remodelling, repair or demolition of a defence project, shall be guilty of an offence punishable on summary conviction by imprisonment for a term not exceeding two years, but such person may at the election of the Attorney General of Canada or of the Province be prosecuted upon indictment, and if convicted shall be liable to imprisonment for a term not exceeding five years.

Provided however that, a person shall not be guilty of an offence under this Regulation by reason only of his taking part in, or peacefully persuading any other person to take part in, a strike.

- 51C. The expressions "defence project", "munitions of war" and "supplies" where they occur in the two next preceding Regulations, 51A and 51B, shall have the same meaning as in The Department of Munitions and Supply Act.

(Sgd). A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council repealing collection of processing levy on wheat

Canada Gazette, 16th August, 1941

P.C. 5844

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 31st day of July, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Trade and Commerce reports that representations have been made that in view of the higher cost of material and labour, it is no longer possible to offer bread for sale at present prices.

And whereas the Minister submits that, in the public interest, therefore, it is deemed advisable that the provision in the Canadian Wheat Board Act providing for the collection of a processing levy be repealed.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to repeal Part II, Section 18, of the Act to Amend the Canadian Wheat Board Act, 1935, Chapter 25, 4 George VI, commonly known as the Processing Levy Section, and it is hereby repealed, effective on August 1, 1941.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending regulations, restriction of wheat deliveries
and sales**

P.C. 5924

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 5th day of August, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, is pleased to amend the Regulations respecting the restriction of wheat deliveries and sales in Canada, as established by Order in Council P.C. 3849 of May 30, 1941, and they are hereby amended by the addition to Regulation No. 17 of the following:—

“17A. Notwithstanding anything contained in this Order in respect of the first five bushels of wheat permitted to be delivered for each authorized acre shown in the permit book, Provincial law in force at the date of this Order shall apply so far as that law postpones in favour of the actual producer or enables postponement of any right of a producer other than the actual producer to receive any share of the crop grown by the latter, but not so far as to diminish the total amount of wheat which such other producer is entitled to receive from the actual producer. The provisions of this paragraph shall not apply where the actual producer is a tenant. ‘Actual producer’ herein shall mean a producer actually engaged in the production of the wheat.

In respect of the excess over the said five bushels, Provincial law in force at the date of this Order, modifying or enabling the modification of contractual or other rights in respect of wheat or declaring priorities among claims to and liens against wheat, shall apply to all other persons but shall not affect the Board or any transactions which the Board may enter into.”

the said amendments having been requested by the Canadian Wheat Board.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council establishing “Canadian Publishers’ War Finance
Publicity Committee”**

P.C. 5955

*Certified to be a true copy of a Minute of a Meeting of the Committee of the
Privy Council, approved by His Excellency the Governor General on the
5th August, 1941.*

The Committee of the Privy Council have had before them a report, dated 28th July, 1941, from the Minister of Finance, representing:—

That, after consultation with him, a committee, called “The Canadian Publishers War Finance Publicity Committee” consisting of representatives from the Canadian Daily Newspapers Association, the Canadian Weekly Newspapers

Association, the Canadian National Newspapers and Periodicals Association and the Canadian Association of Advertising Agencies, was set up for the following purposes:

- (i) To assist in planning, preparing and disseminating press releases, features, cartoons, etc., in relation to war loan securities, war savings certificates, income tax instalment payments and other wartime financial measures of the Government and to stimulate and co-ordinate the efforts of publishers from coast to coast in relation to such matters; and
- (ii) To study the advertising requirements of the Government's wartime financial measures and to obtain from competent advertising agencies, plans, specifications and estimates of the cost of meeting these requirements and to formulate concrete proposals in regard to necessary advertising campaigns for the consideration of the Minister of Finance;

That the understanding was that the Chairman and other members of the said Committee would serve without remuneration and that their expenses would be contributed voluntarily by the respective Associations which they represent and that the operating expenses, including wages, office rent, light, telephone, telegraph, postage, office supplies, printing, production and mechanical costs, travelling expenses of paid personnel should be borne by the Government; and

That it is desirable to make provision for the payment of the expenses of the said Committee.

The Minister, therefore, with the concurrence of the Secretary of State, recommends that, under and by virtue of the provisions of the War Measures Act, approval be given to the creation of the said Committee, for the purposes above mentioned.

The Minister further recommends that any accounts rendered by the said Committee, before or after the date hereof, for expenditures incurred by it for the purposes above mentioned, including accounts for printing and stationery placed outside the Department of Public Printing and Stationery, may be paid upon receipt of a certificate signed by the Chairman of the Committee or by some person authorized by him to the effect that the goods had been received or the services performed as the case may be and that the charges therefor are fair and reasonable.

The Committee concur in the foregoing recommendations and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council transferring Dominion Fuel Board—powers, duties and functions from Department of Mines and Resources to Wartime Prices and Trade Board

P.C. 19/6016

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 6th August, 1941.

The Board recommend that, pursuant to powers conferred by the War Measures Act and the Public Service Re-Arrangement and Transfer of Duties Act, Order in Council of June 25th, 1941, P.C. 27/4600, be cancelled and the following approved for the duration of the present war and until further order:—

- (1) All of the powers, duties and functions of the Dominion Fuel Board, conferred by the Domestic Fuel Act (17 Geo. V, Chapter 52) and the

"Act to place Canadian Coal used in the manufacture of iron and steel on a basis of equality with imported coal" (20-21 Geo. V, Chapter 6) and the regulations made pursuant to such Acts, and by the several Orders in Council authorizing assistance to the movement of coal and otherwise howsoever, are hereby transferred, and the establishment and staff of the Dominion Fuel Board are hereby transferred and seconded to the Coal Administrator, under the direction of the Wartime Prices and Trade Board.

- (2) The Coal Administrator, under the direction of the Wartime Prices and Trade Board, may from time to time assign to his Technical Adviser such of the powers, duties and functions transferred by paragraph, number one hereof, as he deems advisable.
- (3) The administration of the said Domestic Fuel Act and of the said "Act to place Canadian Coal used in the manufacture of Iron and Steel on a basis of equality with Imported Coal", and the several Orders in Council authorizing assistance to the movement of coal together with the appropriations granted under Votes 173 and 174 of the Main Estimates 1941-42, are hereby transferred from the Minister of Mines and Resources to the Minister of Labour.
- (4) The Minister of Labour may assign to the Wartime Prices and Trade Board such of the powers, duties and functions arising under paragraph number three hereof as he deems proper.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing contracts, Department of Munitions and Supply, to amount of \$15,000 to be awarded without consent of Governor in Council

P.C. 6036

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of August, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, under the provisions of section 8(d) of the Department of Munitions and Supply Act, the Minister of Munitions and Supply is required to obtain authority from the Governor in Council before entering into any proposed contract involving an amount in excess of \$5,000;

And whereas the Minister of Munitions and Supply reports that with the substantial and continuing increase in the volume and scope of the work of the Department of Munitions and Supply, and the attendant increase in the number of contracts for which such authority must be obtained before execution there is danger that the proper and efficient functioning of the Department may be impaired by the requirement set forth in the said section;

That he is informed that a large number of such contracts entered into by the Department of Munitions and Supply involve amounts not exceeding \$15,000 so that if the limit governing contracts which could be entered into without the authority of the Governor in Council were raised from \$5,000 to \$15,000 the danger of such impairment could be eliminated;

That he is further informed that the total amount involved in contracts between \$5,000 and \$15,000 in value is small compared with the total amount involved in all contracts over \$5,000, so that if the said limit were raised, as aforesaid, authority of the Governor in Council would still be required and obtained in respect of the contracts under which the bulk of the Department's expenditures are being undertaken; and

That, after giving due consideration to all these factors, he is of the opinion that it would be in the public interest, and would materially assist the proper and efficient functioning of the Department of Munitions and Supply to amend section 8 of the aforesaid Act to provide that the Minister of Munitions and Supply may enter into any contract involving an amount up to but not in excess of the \$15,000.00 without authority from the Governor in Council, provided, however, that the Minister of Munitions and Supply report to the Governor in Council all such contracts so entered into, involving amounts in excess of \$5,000.00 but not exceeding \$15,000.00;

Now, therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under and by virtue of the powers conferred by the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to amend The Department of Munitions and Supply Act and it is hereby amended as follows:

- (1) By deleting from subsection (d) of section 8 the words "five thousand", and substituting therefor the words "fifteen thousand", the said subsection, so amended, to read as follows:
 - (d) in cases where the amount involved in any proposed contract exceeds fifteen thousand dollars, the proposed contract shall not be entered into until authority to do so has been granted by the Governor in Council;
- (2) By deleting from subsection (e) section 8 the words "five thousand", and substituting therefor the words "fifteen thousand", and by adding, at the end of the said subsection, the following: "provided, however, that the Minister shall report all such contracts so entered into involving amounts exceeding five thousand dollars to the Governor in Council as soon after their execution as may be practicable", the said subsection so amended to read as follows:
 - (e) in cases where the amount involved in any proposed contract does not exceed fifteen thousand dollars, the Minister may enter into such proposed contract without authority from the Governor in Council, provided, however, that the Minister shall report all such contracts so entered into involving amounts exceeding five thousand dollars to the Governor in Council as soon after their execution as may be practicable.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations respecting timber

P.C. 6037

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 8th day of August, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2716 of 24th June, 1940, a Timber Controller was appointed and Regulations Respecting Timber were made and established whereby certain powers and duties were vested in or charged upon the Timber Controller;

And whereas, by Order in Council P.C. 4249 of 13th June, 1941, Allan Stanley Nicholson, Esquire, was appointed Timber Controller;

And whereas the Minister of Munitions and Supply states that the Timber Controller reports that, in order to enable him fully and effectually to exercise and discharge the powers and duties vested in and/or charged upon him, it is necessary that he be given the further and additional powers hereinafter mentioned;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and by virtue of the powers conferred on the Governor in Council by The Department of Munitions and Supply Act and by the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to amend the said Order in Council P.C. 2716 of the 24th June, 1940, as amended by Orders in Council P.C. 7120 of 4th December, 1940, and P.C. 4389 of the 17th June, 1941, and it is hereby further amended by adding to Section 2 of the Regulations Respecting Timber the following subparagraph as subparagraph (o), to be retroactive and have effect as from 13th June, 1941:

- (o) To appoint, dissolve or discharge, and re-appoint from time to time, such committee or committees as he shall deem advisable, acting under such title or titles as he shall select, and to appoint to, and discharge from, any such committee, from time to time, any person or persons that he shall name; the duties of any such committee to be to confer with and advise the Controller with respect to any matters coming within his jurisdiction, and with respect to the exercise of any power vested in him; and also to present for discussion and guidance such relevant problems as may arise in connection with any of the matters referred to such committee by the Controller and to make recommendations to him with respect thereto.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council prohibiting export of bones, all kinds, and tanners' fleshings

Canada Gazette (Extra), 8th August, 1941

P.C. 6040

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 8th day of August, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Trade and Commerce reports that it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, in addition to those enumerated and described in Schedule One of Order in Council P.C. 4366 of June 17, 1941, deemed capable of being converted into or made useful in military, naval and air stores, in order to carry out more effectively the Regulations respecting Trading with the Enemy, 1939, and to conserve supplies of commodities required for Canadian and United Kingdom requirements.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206, R.S.C. 1927), is pleased to order that effective, on and after the 11th day of August, 1941, the undermentioned commodities be and they are hereby added to Group Two of Schedule One of Order in Council P.C. 4366 of June 17, 1941:—

Bones, all kinds.
Tanners' Fleshings.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing regulations for conservation and distribution of silk supply

Canada Gazette (Extra), 9th August, 1941

P.C. 6124

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 9th day of August, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Munitions and Supply reports that due to the uncertainty of future shipments of raw silk from abroad and to the requirements of silk for production of munitions and supplies for war purposes it is necessary in the public interest to conserve the supply and direct the distribution of such silk;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, is pleased to order and it is hereby ordered as follows:—

1. For the purposes of this Order in Council except where the context otherwise requires:

- (a) "Minister" means the Minister of Munitions and Supply for the time being in office and includes the Deputy Minister;
- (b) "making" includes manufacturing, fabricating, weaving, knitting, processing or producing;
- (c) "person" includes firm, partnership, corporation, company, association or any other body;
- (d) "silk" includes natural or raw silk whether in Canada, outside of Canada or in transit to Canada but does not include silk on which the process of throwing has been completed;

2. No person shall without the consent of the Minister first had and obtained hereafter buy, sell, deliver, accept delivery of or otherwise dispose of or deal with silk or use silk for the purpose of making any article, commodity or thing; provided, however, that this prohibition shall not apply to the amount of silk required by persons having contracts, whether prime contracts or sub-contracts, for the production of "munitions of war" and "supplies" as defined in subsections (d) and (e) respectively of Section 2 of the Department of Munitions and Supply Act to perform such contracts. The decision as to whether or not a person has a contract for the production of "Munitions of war" and "supplies" shall be made by the Minister whose decision in the matter shall be final.

3. Every person who has in his possession or under his control or subject to his order any silk shall comply with any and all directions made by the Minister or his duly authorized representative requiring such person to furnish to the Minister or such representative reports showing the amount of all silk in the possession, under the control or subject to the order of such person and the form or state that such silk is in including the state of manufacture or process, and such other information as may be required by the Minister or his representative. Such reports may be required immediately and/or from time to time as the Minister or his duly authorized representative may determine.

4. The Minister upon being furnished with evidence satisfactory to him that any silk is not required or suitable for use in the production of "munitions of war" and "supplies" may release such silk from the terms and provisions of this order.

5. Plateau Company Limited is hereby appointed the authorized representative of the Minister for all purposes of this Order in Council.

6. The Minister is hereby authorized to do all such acts, matters and things as may be necessary to carry out the terms of the foregoing.

7. This order shall take effect at 12.00 o'clock midnight Eastern Daylight Saving Time on Saturday, the 9th day of August, 1941.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing regulations respecting transit

P.C. 6131

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 12th day of August, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, under and by virtue of The Department of Munitions and Supply Act, the Minister of Munitions and Supply has, among other duties, the duties of organizing the resources of Canada contributory to, and the sources of supply of, munitions of war and supplies and the agencies available for the supply of the same, and of mobilizing, conserving and co-ordinating the economic and industrial facilities available in respect of munitions of war and supplies for the effective prosecution of the present war;

And whereas under and by virtue of section 6, subsection (1) (e) of the said Act, the Minister of Munitions and Supply may,

"mobilize, control, restrict or regulate to such extent as the Minister may, in his absolute discretion, deem necessary, any branch of trade or industry in Canada or any munitions of war or supplies";

And whereas the Wartime Industries Control Board represents as follows:—

- (1) That, in many places throughout Canada, the concentration of increasing numbers of workers engaged in the production of munitions of war together with their families, the establishment of camps and training centres for members of the armed forces and many other factors, have combined to cause or aggravate congestions of traffic on streets, roads and highways, particularly at certain hours and on certain days;
- (2) That such congestions have been increasing and are likely to increase still more, and
 - (a) have already seriously disrupted and interfered, and are likely more seriously to disrupt and interfere, with the movements of workers engaged in the production of munitions of war to and from their homes and places of employment, with consequent interruption and reduction of their working hours and (thereby) of the output of munitions of war; and
 - (b) have already interfered with and delayed, and are likely in future increasingly to interfere with and delay the movements of members of the armed forces to and from their camps and training centres;

And whereas the said Wartime Industries Control Board recommends that steps be taken to restrict, regulate and control traffic of all kinds which makes use of the streets, roads and highways in areas where such congestions occur, and to rectify in so far as possible, the conditions which cause or aggravate such congestions, and further, to organize, mobilize, and control the available means of transportation in such areas, all with a view to relieving the aforesaid traffic congestions and facilitating the regular and prompt transportation of munitions workers and members of the armed forces in the interest of the war effort and the defence of Canada;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under and by

virtue of the powers conferred on the Governor in Council by The Department of Munitions and Supply Act and by The War Measures Act, is pleased to appoint and doth hereby appoint William James Lynch, Esquire, of the City of Quebec, Transit Controller; the offices of the Transit Controller to be in the City of Montreal, unless and until otherwise determined by the Minister of Munitions and Supply;

His Excellency in Council, on the same recommendation, and under the above cited authority, is pleased to make the following Regulations Respecting Transit and they are hereby made and established accordingly:

REGULATIONS RESPECTING TRANSIT

1. For the purpose of these Regulations, except where the context otherwise requires.

- (a) "bus" means any vehicle which does not operate on fixed rails and is used, or intended to be used, for the transportation of passengers on payment of fares, and has a normal seating capacity for more than six persons in addition to the driver, and includes trailers;
- (b) "company" includes corporation, firm, partnership, person, association or any other body and the heirs, executors, administrators, receivers, liquidators, curators and other legal representatives of such company according to the laws of that part of Canada applicable to the circumstances of the case;
- (c) "The Controller" or "The Transit Controller" means the person from time to time appointed Transit Controller by the Governor General in Council, and for the time being in office as such;
- (d) "Deputy Controller" means any person from time to time appointed a Deputy Transit Controller by the Governor General in Council and for the time being in office as such;
- (e) "ferry" means any vessel which furnishes, or takes part in furnishing, a regular service for passengers (with or without freight and/or vehicles) across a body of water, provided that such service permits of at least four trips being taken each way each day other than Sunday;
- (f) "jitney bus" means any motor vehicle which is constructed and intended to be used for private passenger use, and has a normal seating capacity for not more than six persons in addition to the driver, and which the Controller may authorize to be used, subject to such conditions as he may fix, for the transportation of passengers on payment of fares; but does not include any taxi-cab;
- (g) "the Minister" means the Minister of Munitions and Supply for the time being and his duly appointed successors in office and includes the Deputy Minister;
- (h) "order" means any order, regulation, licence, permit, prohibition, requirement, direction, restriction, limitation, instruction, or approval made, issued, imposed, established or given by the Controller or by the Minister by virtue of this Order in Council;
- (i) "person" includes firm, corporation, company, partnership, association or any other body and the heirs, executors, administrators, receivers, liquidators, curators and other legal representatives of such person according to the laws of that part of Canada applicable to the circumstances of the case;
- (j) "tram-car" means any vehicle operating on fixed rails and constructed and used, or intended to be used, for the transportation of passengers on payment of fares, and includes trailers, but does not include any part of the rolling stock of steam railways;

- (k) "one-man car" means any tram-car in which the functions of both motorman and conductor are performed by one individual;
- (l) "taxi-cab" means any passenger vehicle commonly so-called, and, without restricting the generality of the foregoing, includes any passenger vehicle with a normal seating capacity for not more than six persons in addition to the driver, used for the transportation of passengers on payment of fares, and either equipped with a meter for computing fares or operated under a fixed tariff of fares, and either plying for hire or waiting on call by intending passengers at any garage, station, rank or other fixed place;
- (m) "trailer" means any vehicle designed to be attached to, and drawn by, a bus or tram-car;
- (n) "transportation facilities" means any system, line, or other means of transporting passengers from place to place for hire, or on payment of a fare, and includes any bus or tram-car system or line, and any bus, tram-car, taxi-cab or ferry; and also includes any building, plant, dock or other appurtenant facilities necessary or useful in the operation or maintenance thereof, but does not include steam railways or the rolling stock or equipment thereof, aeroplanes or ships (other than ferries) or the facilities appurtenant thereto;
- (o) "transport company" means any company which owns, operates, maintains or is in possession or control of transportation facilities;
- (p) Words in the singular include the plural and words in the plural include the singular, and the masculine or neuter gender respectively shall be deemed to denote the neuter or masculine respectively where the context so requires.

2. (1) Notwithstanding anything contained in the Railway Act or The Transport Act, 1938, or in any other Dominion or provincial statute or in any municipal by-law, the Controller shall have the powers hereinafter set forth, all and any of which shall be exercisable from time to time;

- (a) To control throughout Canada, or in any part or parts thereof, the use and/or the operation of transportation facilities and the operations of transport companies.
- (b) To order any transport company or other company to furnish at such times and places as shall be stated in the order, transportation facilities of such kind, and for such numbers of persons, as may be specified, and using such numbers of buses, tram-cars, ferries and/or other vehicles as may be directed.
- (c) To order any transport company to discontinue or cease to operate, furnish, supply or make use of any particular transportation facilities.
- (d) To order any transport company to raise or lower the age limits within which employees are employed or retained in employment by such company, and to vary, as may be directed in any such order, the standards of fitness and qualification required by any such company of its employees.
- (e) To order any transport company to make use of the services of women as employees, as may be directed in any such order.
- (f) To order any transport company which operates tram-cars to use in its operations one-man cars or cars operated by two men either entirely or to such extent or in such proportions or numbers as may be directed in such order.
- (g) To establish time tables or schedules setting forth the times of arrival and/or departure of buses, tram-cars and/or ferries at specified points and to require any transport company to operate its buses, tram-cars or ferries in accordance with, and in conformity to, any such time table or schedule.

- (h) To establish tables or schedules of fares or rates to be charged by any transport company for the transportation of passengers between various specified points, or for specified distances, or for specified periods of time, and to require any transport company to adopt, and to conform to, any such table or schedule.
- (i) To issue and reissue permits or licences to any transport company, and to suspend, cancel or refuse to issue any such permit or licence whenever the Controller deems it in the public interest so to do, and, subject to the approval of the Minister, to fix the fees payable for the issuing of such permits and licences and to prescribe the manner, procedure, terms and conditions upon or under which such permits and/or licences may be obtained.
- (j) To prohibit any transport company from operating or furnishing transportation facilities of any specified kind or kinds at or in any place, or between any places, in Canada, or otherwise as may be specified by the Controller, unless under licence issued by the Controller.
- (k) To prohibit, restrict, limit, extend or authorize as may be specified by the Controller, the use of any street, road, highway or other place by any vehicle or class of vehicles, or by vehicles operated by, or under the control of, any company or class or kind of company, either at any time or all times or at, or between, or during certain specified times or hours, or on certain specified days, and to remove or cancel any such prohibition, restriction, limitation, extension or authorization.
- (l) To require any company which buys or sells merchandise and/or renders services and employs or uses any vehicle for the purposes thereof to enter into such arrangement or agreement as the Controller may require with any other such company or companies, for the pooling or joint employment or use of such vehicle.
- (m) To prohibit, restrict, limit or permit the parking of vehicles of any or all kinds, and/or classes on any specified street, road, highway or place at all times or at, or between, or during certain specified times or hours, or on certain specified days.
- (n) To prohibit, restrict or limit the use of any specified buses, tram-cars or other transportation facilities by or to any designated persons or designated classes or groups of persons, either generally or at, or between certain specified times or hours, or on certain specified days, or between certain specified places.
- (o) To authorize and license the operation and use of jitney buses, subject to such conditions, restrictions and limitations as may be imposed by the Controller.
- (p) Subject to the approval of the Governor General in Council to give such instructions or orders as he may deem necessary or advisable in order to give full effect to, and facilitate the operation of these Regulations, to any body, authority or person, whether Dominion, provincial or municipal, having jurisdiction or authority over transport companies or transportation facilities.
- (q) To order any employer to arrange or alter the hours of employment of such employees in such a manner as to ensure that such proportions as the Controller may fix of the total number of employees of any such employer, or such groups or numbers thereof as the Controller may specify, shall, in so far as possible, arrive at, or depart from, their place or places of employment at or about such times, or with such intervals between the times of arrival or times of departure (as the case may be) of such various proportions, groups or numbers, as the Controller may, in such order, direct.

- (r) Subject to the approval of the Minister, to construct, buy, take possession of, or otherwise acquire, and to utilize, maintain or operate buses and/or other vehicles and/or tram-cars and/or ferries and to sell or otherwise dispose of the same.
- (s) Subject to the approval of the Minister, and either by himself or by any person duly authorized by him thereunto, to buy or otherwise acquire, or to enter on and take possession of, and to utilize, maintain and operate, for such period as the Controller shall deem advisable, any bus, tram-car or ferry system, line or route and any and all of the facilities appurtenant thereto and necessary or useful in the operation thereof, and to sell or otherwise dispose of the same, and to establish tables or schedules of fares or charges to be paid by persons making use of the same.
- (t) To enter on any land or premises or into any building or place, by himself or by any person duly authorized by him thereunto, for the purposes of inspecting buses, tram-cars and/or other transportation facilities.
- (u) To alter or amend, as the Controller may deem desirable in the public interest, any contract between a transport company and any Dominion, Provincial or municipal authority or body or between a transport company and any other company.
- (v) To prohibit, regulate or require the use of any land or building for the purpose of maintaining or operating transportation facilities.
- (w) To order or require any transport company or other company to make any structural change in or addition to, or to provide or require any such company to provide any specified equipment or installation in, on or about any building, land or place for the purpose of, or to be used in any way in connection with, the maintenance or operation of a transport company or any transportation facilities.
- (x) To order or require any transport company to produce to any person, authorized in writing for the purpose by the Controller, all or any books, records and/or documents and to permit the person so authorized to make copies of, or take extracts from the same and, when the Controller deems necessary, to remove and retain any such books, records and/or documents.
- (y) To order or require any transport company or any agent, employee or representative of any transport company to furnish, in such form and within such time as the Controller may prescribe, such facts, data or information as the Controller may deem necessary; and the Controller may, at his discretion require the same to be furnished under oath or affirmation.
- (z) Subject to the approval of the Minister, to enter upon and conduct any investigation or inquiry, which, in the opinion of the Controller is necessary to obtain any information within the possession or knowledge of any transport company, or of any agent, employee or representative of any such transport company; and for such purpose the Controller shall have and exercise all powers of a commissioner duly appointed under part I of the Inquiries Act, being Chapter 99 of the Revised Statutes of Canada 1927 and amending Acts, and may engage the services of any person as provided in section 11 of the said Act.
- (aa) Subject to the approval of the Governor General in Council, to advance moneys to any transport company for the purpose of assisting such company in the carrying on of its business.

(2) The powers set forth in the foregoing sub-section (1) of this section 2 are several and not dependent on each other, and no paragraph or provision hereof shall be construed, unless so stated or indicated, as being limited in its generality by the terms of any other paragraph or provision.

3. Wherever herein any power is given to the Controller whether or not subject to the consent or approval of the Minister or of the Governor General in Council, to make or give any order to, or with respect to, or impose any restriction, prohibition or requirement on, or with respect to, any person or thing, the Controller may exercise such power either generally with respect to the whole subject matter thereof, or partially or selectively with respect only to a portion or portions of the subject matter thereof, and, without restricting the generality of the foregoing, the provision or provisions of this Order in Council granting such power shall be deemed and construed to mean that such power is given, and may be exercised, in respect of, and/or in relation to:

- (i) such person or thing in the plural or aggregate, or as, or in, a group or groups, as well as in the singular; and
- (ii) any particular number or numbers of persons or number or numbers or part or parts of any thing or things, as well as all of such persons, thing or things; and
- (iii) such person and/or thing either generally throughout Canada or in any particular province, place, area, zone or locality designated by the Controller; and
- (iv) such a person of any particular trade, industry, occupation, profession, group, class, organization, or society and/or such a thing of any particular kind, type, grade, classification, quality or species; and
- (v) an indefinite, undetermined or unspecified time or such period or periods of time as the Controller may specify.

4. If the Controller takes possession of any buses, tram-cars, vehicles, ferries, facilities, equipment or personal property necessary for, or useful in, the maintenance and/or operation of any transportation facilities or takes possession of any real property, or if the Minister determines that any person is entitled to compensation by reason of any order, then the compensation to be paid in respect thereof, in default of agreement, shall be such, in the case of buses, tram-cars, vehicles, ferries, facilities, equipment and/or other personal property, as is prescribed and determined by the Controller with the approval of the Minister, and in other cases shall be such as is determined by the Exchequer Court on reference thereto by the Minister.

5. Any person who contravenes or fails to observe any order or who, in any manner hinders or obstructs the Controller in the exercise of his powers, shall be guilty of an offence under The Department of Munitions and Supply Act.

6. If any company contravenes or fails to observe any order whether general or specific, then in such case, and in addition to or in substitution for the penalties provided in the foregoing section 5 hereof, the Controller shall have power by his order to prohibit and restrain such company from operating or maintaining any transportation facilities, and, to this end, the Controller may order such acts and things to be done or omitted as he may deem necessary to prevent or preclude the use or operation of any particular transportation facilities in breach of any such order.

7. Where the failure to fulfil any contract or obligation, whether made before or after the date of this Order in Council is due to the non-compliance on the part of any person with any order, proof of that fact shall be a good and complete defence to any action or proceeding in respect of such failure.

8. A Deputy Controller of Transit shall have and exercise any and all powers conferred on the Controllers of Transit subject to any restriction thereof which the Controller of Transit may from time to time impose and subject in all cases to review by the Controller of Transit.

9. The Controller, any Deputy Controller, and any person acting for, or on behalf of, or under the authority of, the Controller shall not be or become liable to any person for anything done or omitted in the exercise or purported exercise of any power or authority from time to time vested in the Controller.

(Sgd). A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council clarifying P.C. 5844, July 31, 1941—processing levy on wheat

P.C. 6156

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 12th day of August, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Trade and Commerce reports that certain doubts have arisen in respect of the effects of Order in Council P.C. 5844 of July 31st, 1941, repealing Part II, Section 18 of the Act to Amend the Canadian Wheat Board Act, 1935, Chapter 25, 4 George VI;

Now, therefore, His Excellency the Governor General in Council, to clarify the said Order in Council, is pleased, on the recommendation of the Minister of Trade and Commerce, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, to order and doth hereby order as follows:

- (a) No wheat product shall be imported into Canada or taken out of a customs warehouse, no processor shall process any wheat grown outside of Canada, no person shall transport into Canada wheat products or wheat grown outside of Canada and no person shall sell, or buy or take delivery of wheat or wheat products imported into Canada, without permission of the Canadian Wheat Board.
- (b) In respect of all deliveries of wheat products up to and including July 31st, last, processors shall be liable for and shall pay the processing levy to the Board notwithstanding anything to the contrary contained in Order in Council P.C. 5844-41 of July 31st last; provided, however, that in cases where delivery was made at the processor's premises to the purchaser personally or to some person acting on his behalf, the levy shall be deemed to have been imposed at the time of delivery to such purchaser or other person and in cases where the services of a person engaged in the business of transportation of goods are used in making delivery to the purchaser, the processing levy shall be deemed to have been imposed at the time of delivery to such person employed for such transportation purposes.
- (c) Sums received by the Board in payment of the processing levy shall continue to be deemed by the Board to be, and shall be dealt with by the Board as ordinary revenue of the Board and expended by the Board as ordinary revenue.
- (d) Words and expressions used in this Order shall have the same meaning as if used in the Canadian Wheat Board Act.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prohibiting export of rubber manufactures and semi-manufactures

Canada Gazette (Extra), 13th August, 1941

P.C. 6157

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 12th day of August, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Trade and Commerce reports that it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, in addition to those enumerated and described in Schedule One of Order in Council P.C. 4366 of June 17, 1941, deemed capable of being converted into or made useful in military, naval and air stores, in order to carry out more effectively the Regulations respecting Trading with the Enemy, 1939, and to conserve supplies of commodities required for Canadian and United Kingdom requirements;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206, R.S.C. 1927) is pleased to order that, effective on and after the 13th day of August, 1941, the undermentioned commodities be and they are hereby added to Group One of Schedule One of Order in Council P.C. 4366 of June 17, 1941:—

Rubber manufactures and semi-manufactures.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing conditions—advances towards expenses of workers travelling to places of employment

P.C. 10/6172

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 13th August, 1941.

The Board had under consideration a memorandum from the Honourable the Minister of Labour reporting:—

“That due to increasing demand for certain categories of labour in industries necessary for the successful prosecution of the war, it may become advisable to move numbers of workers to meet the demands of industry in cases where a sufficient supply of labour is not available locally;

That Section 91 of the Unemployment Insurance Act, 1940, provides that the Unemployment Insurance Commission may make regulations authorizing advances by way of loan towards meeting the expense of workers travelling to places where employment has been found for them through an employment office;

That it is the view of the Interdepartmental Committee on Labour Co-ordination that, in addition to the above mentioned provision for advances by way of loan to cover the expense of workers travelling to places where employment has been found for them, it may become necessary, in some instances, to pay the cost of transportation of workers, their dependents and effects, on a non-recoverable basis.

This financial assistance shall be confined to workers engaged through the Employment Service of the Unemployment Insurance Commission for employment in war industries and agricultural work, and shall be granted only where such assistance is deemed necessary by the local representative of the Employment Service. Part or all of the following expenses may be paid:

- (a) Travelling expenses where the worker alone is moved more than one hundred miles to employment which might not last more than six months.
- (b) Travelling and moving expenses where it is deemed necessary to move the worker's family.
- (c) An allowance for meals and incidental expenses while in transit to the new job of not more than three dollars per day.
- (d) Supplementary living allowance of not more than five dollars per week where the worker is moved away from his family and his earning capacity on the new job is insufficient to offset the increased cost of living due to the separation.
- (e) A loan of not more than ten dollars to defray living expenses during the first week of employment and to be repaid in full out of his first full pay for the regular pay period.

The undersigned, therefore, recommends (with the concurrence of the Interdepartmental Committee on Labour Co-ordination), pursuant to the War Measures Act, that the sum of \$50,000 be made available and added to the War Estimates of the Department of Labour for the Fiscal Year 1941-42, chargeable to War Appropriation 1941-42 and to be administered by the Unemployment Insurance Commission, for the purpose of providing transportation for any worker, his dependents and effects, including expenses en route."

The Board, having approved the addition of \$50,000 to the war estimates of the Department of Labour for the fiscal year 1941-42 for the above purpose, to be allotted by the Treasury Board from time to time out of the War Appropriation, concur in the above report and recommendation and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending limitations for Army expenditures increased re
Governments of Netherlands, Belgium and Poland**

P.C. 22/6172

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
13th August, 1941.*

The Board had under consideration a memorandum from the Honourable the Minister of National Defence reporting:—

"That, in accordance with Section 3 of The War Appropriation Act, Chapter 3 of The Statutes of Canada, 1940,

"The Government of Canada may act as the agent of the Government of any British or foreign country allied with His Majesty for any purpose which, in the opinion of the Governor in Council, will aid directly or indirectly in the prosecution of the war, and any obligations or costs incurred temporarily or assumed by the Government of Canada in the exercise of the powers hereby conferred may be paid out of any unappropriated moneys in the Consolidated Revenue Fund";

That P.C. 22/2544, dated 11th April, 1941, authorized the Department of National Defence (Army) to act as the agent of the Governments of Belgium, Czechoslovakia, the Netherlands, Norway and Poland, 'provided that the outstanding debit balance at any time in respect of any one of the above mentioned Governments shall not exceed \$10,000';

That it is now considered impracticable to be restricted by these limitations in the following cases, since the recoverable balances outstanding, at July 7, 1941, were: against the Netherlands Government, \$15,366.69; against the Belgium Government, \$21,249.64; and against the Polish Government, \$22,099.51.

The former limitations on these Governments were exceeded owing to the fact that action by the Department on behalf of any one of them may be taken, simultaneously, by widely separated Districts, Branches, and Divisions of the Army.

As prompt action is the first consideration, after consultation with the Comptroller of the Treasury it was not deemed practicable to ascertain beforehand whether these arbitrary limitations would be exceeded but rather to wait till the charges, as assembled by his officers, indicated that a limitation had been exceeded, when a decision could be made as to increasing the amount allotted.

The Acting Deputy Minister (Army), therefore, recommends that the limitations for Army expenditures on behalf of the Governments of the Netherlands, Belgium and Poland be increased to \$50,000, respectively, and that the limitations on the Governments of Czechoslovakia and Norway remain at \$10,000 each, as set down by P.C. 22/2544, until such time as it becomes apparent that they also need adjustment.

The undersigned concurs in the recommendation of the Acting Deputy Minister (Army) and has the honour to recommend that the same be approved."

The Board concur in the above report and recommendation, and submit the same for favourable consideration, provided that the limit in respect of the Governments of the Netherlands, Belgium and Poland shall be \$25,000.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council licensing Norwegian fishing vessel "Polaris"
as fishing trawler**

P.C. 6285

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 14th day of August, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Fisheries reports as follows:

The Maritime-National Fish Limited of Halifax has applied for a licence to operate as a trawler the Norwegian fishing vessel "Polaris". Authority was given by Order in Council of May 10th, 1941, P.C. 3280, for the licensing of this vessel, under certain conditions, to fish in Canadian waters and for the remission of customs duty and excise taxes during the period of the licence.

Following outbreak of the war, the three vessels operated by the above named Company as trawlers, were requisitioned by the Naval Service and at the present time the Company has only one replacement, with the result that it has been unable to obtain sufficient fresh fish supplies to meet market requirements. The situation is seriously aggravated this year owing to the fact that a number of hand-line vessels, previously engaged in fresh fishing, are now carrying on fishing for the salt fish trade.

The Fisheries Act provides that the licensing of vessels using an "otter" or other trawl of a similar nature for catching fish in the sea, shall be restricted to vessels registered as British ships in Canada, and owned by a Canadian, or by a body corporate incorporated under the laws of the Dominion of Canada, or of one of the provinces thereof.

And whereas the Minister reports further that he is satisfied that the provision of additional trawler facilities is required to assure maintenance of the supply of fresh fish, which is necessary for the security, defence and welfare of Canada, and that the above named Company has been unable, by charter or purchase, to arrange for the use of any suitable vessel of British registry.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries, and under authority of Section 3 of the War Measures Act, is pleased to order that the provisions of Sub-section (2) of Section 56 of the Fisheries Act, 22-23 George V, Chapter 42, be, and they are hereby waived to enable the Norwegian fishing vessel "Polaris" to be licensed as a vessel using an "otter" or other trawl of a similar nature, permitting this vessel to be licensed to fish in Canadian waters, pursuant to the provisions of the Customs and Fisheries Protection Act.

His Excellency in Council, on the same recommendation and under the authority of the War Measures Act, is further pleased to order that the said vessel be permitted to land her catches free of customs duty and excise taxes ordinarily payable on fish and products of the fisheries landed in Canada.

His Excellency in Council, on the recommendation of the Minister of Fisheries, is further pleased to order and doth hereby order and direct that, as it will not be feasible to have the "Polaris" fitted out for operation before 1st October, the fee for licensing this vessel as a trawler for the balance of the fiscal year 1941-42 from 1st October shall be two hundred and fifty dollars.

(Sgd). A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing regulations Canadian Women's Army Corps

P.C. 6289

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 13th day of August, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of National Defence reports,

That there are a number of duties pertaining to the Canadian Army now being performed by men which are capable of being performed by women, and if they were so performed the men in question would be available for duties of a more combatant nature;

That in order to make the men in question so available, it is expedient in the public interest that women be so employed and that said women be organized on a military basis so that, although they will not be comprised in, or form part of the military Forces of Canada, they will be under military control and supervision;

That, for the aforesaid purpose, it is considered desirable to proceed with the formation of a Canadian Women's Army Corps, and to make Regulations for its organization, government, discipline, pay, clothing and other related matters;

That the estimated cost of this proposal during the balance of the fiscal year 1941-42 is \$1,533,479 (as detailed in Appendix "B") and no provision for this purpose was made in the Annual Estimates for Army Services;

That the Corps referred to above is additional to approved Function No. 16: "N.D.H.Q. and District Services", and that funds are available in Primary Allotment 210-90-30 "Special Reserve—Releases".

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence and under and by virtue of the War Measures Act, Chapter 206 Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Law or Regulation, is pleased to make the Regulations hereto annexed as Appendix "A" and they are hereby made and established accordingly.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Inspection Board of United Kingdom and Canada—8 members in place of 6 members

P.C. 6297

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 15th August, 1941.

The committee of the Privy Council have had before them a report dated 2nd August, 1941, from the Minister of National Defence, representing:—

That by Order in Council dated the 26th October, 1940, P.C. 5995, a Board to be known as the Inter-Government Inspection Board, was

established, the same to consist of four members, of which two would be appointed by the Government of the United Kingdom and two by the Government of Canada;

That by Order in Council dated the 7th April, 1941, P.C. 2226, the name of the said Board was changed to "the Inspection Board of the United Kingdom and Canada" and the membership was increased to six, of which three would be appointed by the Government of the United Kingdom and three by the Government of Canada; and

That the increase in the activities of the Board, and the duties which it is required to perform, make it desirable in the interests of efficiency for the membership of the Board now to be increased to eight members, which increase has been recommended by the Chairman.

The Committee, therefore, advise that the Board established by Order in Council dated 26th October, 1940, P.C. 5995 (now known and described as "the Inspection Board of the United Kingdom and Canada"), consist of eight members in place of six, four to be appointed by the Government of the United Kingdom and four to be appointed by the Government of Canada.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council transferring control and supervision of Wartime Prices
and Trade Board from Department of Labour to
Department of Finance**

P.C. 6332

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 14th day of August, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, in view of the special concern of the Department of Finance in matters relating to price control and, in that connection, the expansion of the responsibilities of the Wartime Prices and Trade Board, it is deemed appropriate to transfer the control and supervision of the Wartime Prices and Trade Board from the Minister of Labour to the Minister of Finance;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Right Honourable W. L. Mackenzie King, the Prime Minister, and pursuant to the provisions of the War Measures Act, Chapter 206, R.S.C. 1927, and The Public Service Re-Arrangement and Transfer of Duties Act, is pleased to order as follows:

1. The control and supervision of the Wartime Prices and Trade Board, constituted by Order in Council P.C. 3998 of 5th December, 1939, is hereby transferred from the Minister of Labour to the Minister of Finance.

2. The "Regulations Respecting Necessaries of Life in Time of War" established by Order in Council P.C. 3998 of 5th December, 1939, are hereby amended by substituting "Minister of Finance" for "Minister of Labour" in clause (e) of subsection (1) of Section 2 of the said Regulations.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council limiting use of any or all species of canned salmon

Canada Gazette, 30th August, 1941

P.C. 6363

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of August, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council of July 26, 1941, P.C. 5631, regulations were made for the purpose of safeguarding the requirements of the British Government under an arrangement whereby at least two-thirds of the Canadian pack of canned salmon for the fishing season of 1941 will be made available to and be purchased by the British Government through the Canadian Government and also to assure advantageous distribution in the light of prevailing conditions arising out of the war emergency, of the remaining part of the canned salmon production in 1941;

And whereas the Minister of Fisheries reports that, in furtherance of the measures so provided, it is now deemed essential to assist in assuring production of required supplies of canned salmon, that authority be vested in the Minister of Fisheries to prevent or limit the use of any or all species of salmon for freezing, mild cure or other processing purposes, when, in his opinion, diversion of raw salmon supplies for such purposes may jeopardize the required production of canned salmon;

Therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries, and under and by virtue of the power conferred upon the Governor in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to amend the regulation established by Order in Council of July 26, 1941, P.C. 5631, and they are hereby amended by adding thereto the following paragraph:

7. When, in the opinion of the Minister of Fisheries, the production of required volume of canned salmon for the purpose of supply to the British Ministry of Food or otherwise, may be jeopardized by the diversion of raw salmon supplies to other methods of processing, he may prohibit or limit the use of any or all species of salmon or of steelhead trout for freezing, mild cure, or other processing purposes, for such time or from time to time as he may determine to be necessary.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing vaccination and inoculation of members of Canadian Army—unreasonable refusal considered disobedience

Canada Gazette, 20th September, 1941

P.C. 6375

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of August, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCE

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of National Defence reports that representations have been made by the Army Medical Authorities that it is desirable, in the interests of the health of the Troops and the welfare of Canada generally, that vaccination against smallpox and inoculation against typhoid fever, dysentery, cholera and other such infectious diseases, be made compulsory in the case of all members of the Canadian Army serving on active service, and that all such members be required to submit to blood examinations when considered necessary by the appropriate Army Medical Authorities.

Therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence and under and by virtue of the War Measures Act, Chapter 206 Revised Statutes of Canada, 1927, and notwithstanding the provisions of any Statute, Order or Regulation, be pleased to order and doth hereby order as follows:

1. An officer or soldier of the Canadian Army serving on active service in Canada or elsewhere shall, when so ordered by his superior officer, acting on the advice of the appropriate Army Medical Authorities, submit to vaccination against smallpox, and to inoculation against typhoid fever, tetanus, dysentery, cholera and other infectious diseases, and to blood examination, as the case may be.

2. The unreasonable refusal by an officer or soldier of the Canadian Army serving on active service to submit to vaccination, inoculation or blood examination, as the case may be, when ordered so to do as aforesaid, shall be deemed to be disobedience of a lawful command given by his superior officer and to constitute an offence against sub-section two of section nine of the Army Act and the said sub-section shall, as part of the law of Canada, be construed accordingly.

3. It shall be a defence to any prosecution for an offence under this Order to prove that vaccination, inoculation or blood examination is contrary to the doctrines of the religion of such officer or soldier, or that a qualified physician has certified that vaccination, inoculation or blood examination would be likely to be injurious to the health of any such officer or soldier.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending P.C. 1/4600, June 25, 1941—Okanagan Apple Agreement—“51st parallel”

P.C. 5/6379

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by The Deputy of His Excellency the Governor General in Council, on the 19th August, 1941.

The Board had under consideration a memorandum from the Honourable the Minister of Agriculture reporting:

“That by Order in Council dated the 25th day of June, 1941, P.C. 1/4600, Your Excellency, under the authority of the War Measures Act, approved an agreement with the British Columbia Fruit Board with respect to the marketing of apples grown in the Okanagan Valley in the year 1941;

That typographical error occurred in the said agreement as printed and should be corrected.

The undersigned, therefore, recommends that Your Excellency, under the authority of the War Measures Act, do approve the following amendment in the said Agreement:

That reference to the ‘31st’ parallel of north latitude in paragraph (b) of clause 1 of the said agreement be deleted and ‘51st’ be substituted therefor.”

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing awards of hospital allowance Air Force

P.C. 81/6379

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by The Deputy of His Excellency the Governor General in Council, on the 19th August, 1941.

The Board had under consideration a memorandum from the Honourable the Acting Minister of Pensions and National Health reporting:

“That Order in Council dated the 16th of January, 1936, P.C. 91, authorized awards of hospital allowance subject to conditions set forth therein at the monthly rates set forth in the schedule attached to the said Order in Council;

That in the said schedule no reference is made to officers and airmen of the Royal Canadian Air Force;

That, since by Order in Council dated the 5th October, 1939, P.C. 3005, the definition of ‘a former member of the forces’ as defined in the said Order in Council P.C. 91 was amended to include persons who have served on active service in the Air Force of Canada during the war with the German Reich, it is necessary to provide for appropriate awards of hospital allowance to persons who have so served with such Air Force.

The undersigned has the honour to recommend, therefore, that the regulations established by Order in Council dated the 16th of January, 1936, P.C. 91, be further amended by the cancellation of the six headings which appear in the schedule which is attached to the said Order in Council and the substitution of the following six headings above the monthly hospital allowance rate as they appear in the schedule reading from left to right:

Sub-Lieutenant (Naval); Lieutenant (Military); Flying Officer (Air); and all ranks and ratings below.

Lieutenant (Naval); Captain (Military); Flight Lieutenant (Air); Lieutenant-Commander (Naval); Major (Military); Squadron Leader (Air).

Commander and Captain under three years' seniority (Naval); Lieutenant-Colonel (Military); Wing Commander (Air).

Captain (Naval); Colonel (Military); Group Captain (Air).

Commodore and higher ranks (Naval); Brigadier-General, Brigadier and higher ranks (Military); Air Commodore and higher ranks (Air)."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing Minister of Munitions and Supply to make purchases for Government of the Union of South Africa

P.C. 6387

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of August, 1941.

PRESENT:

THE DEPUTY OF HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas paragraphs (a) to (g), inclusive, of subsection (1) of Section 6 of the Department of Munitions and Supply Act provide as follows:—

"6. (1) The Minister may,

- (a) buy or otherwise acquire, manufacture or otherwise produce, finish, assemble, store and transport, and sell, exchange or otherwise dispose of, munitions of war and supplies;
- (b) repair, maintain and service munitions of war and supplies;
- (c) construct or carry out defence projects and sell, exchange or otherwise dispose of the same;
- (d) purchase or otherwise acquire and sell, exchange or otherwise dispose of, any real or personal property or any interest therein which in the opinion of the Minister is or is likely to be necessary or desirable for the carrying out of any of the powers conferred upon the Minister by this Act, or by the Governor in Council;

- (e) mobilize, control, restrict or regulate to such extent as the Minister may, in his absolute discretion, deem necessary, any branch of trade or industry in Canada or any munitions of war or supplies;
- (f) with the specific or general authorization of the Governor in Council, from time to time, make, issue, amend and repeal all such orders, rules, regulations, permits and licences, as the Minister, in his discretion, may consider necessary or expedient for the exercise of any of the powers conferred upon him by this Act or by the Governor in Council and any such order, rule, regulation, permit or licence may be of general or of particular application and failure to comply therewith shall constitute an offence under this Act;
- (g) if authorized by the Governor in Council, exercise any of the powers contained in paragraphs (a) to (f), both inclusive, of this subsection for or on behalf of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland, whether at the instance of or through the medium of the British Supply Board or otherwise and for or on behalf of any other of His Majesty's Governments or for or on behalf of the Government of the Republic of France or for or on behalf of the Government of any allied or associated power;"

And whereas the Government of the Union of South Africa (hereinafter sometimes referred to as "the Government") has requested, in effect, that the Minister of Munitions and Supply may be authorized to exercise, from time to time, any of the powers contained in paragraphs (a) to (f), both inclusive, of said subsection (1) of Section 6 for or on behalf of the Government;

And whereas the Acting Minister of Munitions and Supply reports that, for the more efficient prosecution of the war, it is desirable that the Minister of Munitions and Supply should be authorized accordingly.

Therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Munitions and Supply, and under and by virtue of the powers conferred by the Department of Munitions and Supply Act and the War Measures Act, is pleased to authorize and doth hereby authorize the Minister of Munitions and Supply to exercise, from time to time any of the powers contained in paragraphs (a) to (f), both inclusive, of subsection (1) of Section 6 of the said Act for or on behalf of the Government of the Union of South Africa; provided that if the said Government shall request the Minister of Munitions and Supply to make payments for or on behalf of the said Government, the financial and accounting arrangements to be entered into shall be such as may be approved by the Minister of Finance.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing Minister of Munitions and Supply to make purchases for Government of the Union of Soviet Socialist Republics

P.C. 6388

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of August, 1941.

PRESENT:

THE DEPUTY OF HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas paragraphs (a) to (g), inclusive, of subsection (1) of Section 6 of the Department of Munitions and Supply Act provide as follows:—

"6. (1) The Minister may,

- (a) buy or otherwise acquire, manufacture or otherwise produce, finish, assemble, store and transport, and sell, exchange or otherwise dispose of, munitions of war and supplies;
- (b) repair, maintain and service munitions of war and supplies;
- (c) construct or carry out defence projects and sell, exchange or otherwise dispose of the same;
- (d) purchase or otherwise acquire and sell, exchange or otherwise dispose of, any real or personal property or any interest therein which in the opinion of the Minister is or is likely to be necessary or desirable for the carrying out of any of the powers conferred upon the Minister by this Act, or by the Governor in Council;
- (e) mobilize, control, restrict or regulate to such extent as the Minister may, in his absolute discretion, deem necessary, any branch of trade or industry in Canada or any munitions of war or supplies;
- (f) with the specific or general authorization of the Governor in Council, from time to time, make, issue, amend and repeal all such orders, rules, regulations, permits and licences, as the Minister, in his discretion, may consider necessary or expedient for the exercise of any of the powers conferred upon him by this Act or by the Governor in Council and any such order, rule, regulation, permit or licence may be of general or particular application and failure to comply therewith shall constitute an offence under this Act;
- (g) if authorized by the Governor in Council, exercise any of the powers contained in paragraphs (a) to (f), both inclusive, of this subsection for or on behalf of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland, whether at the instance of or through the medium of the British Supply Board or otherwise and for or on behalf of any other of His Majesty's Governments or for or on behalf of the Government of the Republic of France or for or on behalf of the Government of any allied or associated power;"

And whereas the Government of the Union of Soviet Socialist Republics (hereinafter sometimes referred to as "the Government") has requested, in effect, that the Minister of Munitions and Supply may be authorized to exercise, from time to time, any of the powers contained in paragraphs (a) to (f), both inclusive, of said subsection (1) of Section 6 for or on behalf of the Government;

And whereas the Acting Minister of Munitions and Supply reports that, for the more efficient prosecution of the war, it is desirable that the Minister of Munitions and Supply should be authorized accordingly.

Therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Munitions and Supply, and under and by virtue of the powers conferred by the Department of Munitions and Supply Act and the War Measures Act, is pleased to authorize and doth hereby authorize the Minister of Munitions and Supply to exercise, from time to time, any of the powers contained in paragraphs (a) to (f), both inclusive, of subsection (1) of Section 6 of the said Act for or on behalf of the Government of the Union of Soviet Socialist Republics; provided that if the said Government shall request the Minister of Munitions and Supply to make payment for or on behalf of the said Government, the financial and accounting arrangements to be entered into shall be such as may be approved by the Minister of Finance.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations respecting supplies

P.C. 6391

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of August, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, under and by virtue of The Department of Munitions and Supply Act, the Minister of Munitions and Supply has, among other duties, the duties of organizing the resources of Canada contributory to, and the sources of supply of, munitions of war and supplies and the agencies available for the supply of the same, and of mobilizing, conserving and co-ordinating the economic and industrial facilities available in respect of munitions of war and supplies for the effective prosecution of the present war;

And whereas, under and by virtue of Section 6, subsection (1) (e) of the said Act, the Minister of Munitions and Supply may,

"mobilize, control, restrict or regulate to such extent as the Minister may, in his absolute discretion, deem necessary, any branch of trade or industry in Canada or any munitions of war or supplies";

And whereas it is deemed necessary to control, restrict and regulate the production, sale, distribution, consumption and use of divers articles, commodities, materials and things which are, or are likely to be, or may be, necessary or useful for, or in connection with, the production, storage, transportation, and/or supply of munitions of war, or necessary or useful for the needs of the Government or of the community in war, with a view to conserving the financial, material and other resources of Canada and facilitating the production of munitions of war and supplies essential for fulfilling the present and potential needs of Canada and her allies; and for such purpose to appoint a Controller of Supplies with the powers and duties hereinafter set forth;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Munitions and Supply and under and by virtue of the powers conferred on the Governor in Council by The Department of Munitions and Supply Act and by The War Measures Act, is pleased to order and doth hereby order as follows:

A. 1. There shall be a Controller of Supplies who shall have and exercise the powers, authorities and rights, discharge the duties and enjoy the privileges and immunities conferred or charged upon, or vested in, such Controller of Supplies under and by virtue of the Regulations Respecting Supplies hereinafter set forth.

2. The Controller of Supplies shall be such person as may be hereafter appointed by the Governor General in Council.

B. The following Regulations Respecting Supplies are hereby made and established,—

REGULATIONS RESPECTING SUPPLIES

1. For the purposes of these regulations, except where the context otherwise requires,

- (a) "the Controller" or "the Controller of Supplies" means the person from time to time appointed Controller of Supplies by the Governor General in Council, and for the time being in office as such;
- (b) "Deputy Controller" means any person from time to time appointed a Deputy Controller of Supplies by the Governor General in Council, and for the time being in office as such;
- (c) "deal in" includes buy, sell, exhibit for sale, take or receive orders for, lease, hire, lend, borrow, exchange, acquire, import, store, supply, deliver, transport, distribute, dispense, ship, convey and install;
- (d) "dealing in" includes buying, selling, exhibiting for sale, taking or receiving orders for, leasing, hiring, lending, borrowing, exchanging, acquiring, importing, storing, supplying, delivering, transporting, distributing, dispensing, shipping, conveying and installing;
- (e) "dealt in" includes bought, sold, exhibited for sale, taken or received orders for, leased, hired, lent, borrowed, exchanged, acquired, imported, stored, supplied, delivered, transported, distributed, dispensed, shipped, conveyed and installed;
- (f) "make" includes manufacture, fabricate, assemble, produce, process, refine and construct;
- (g) "making" includes manufacturing, fabricating, assembling, producing, processing, refining and constructing;
- (h) "made" includes manufactured, fabricated, assembled, produced, processed, refined and constructed;
- (i) "the Minister" means the Minister of Munitions and Supply for the time being and his duly appointed successors in office, and includes the Deputy Minister;
- (j) "order" means any order, regulation, licence, permit, prohibition, requirement, direction, quota or approval made, issued, established or given by the Controller or by the Minister by virtue of this Order in Council;
- (k) "person" includes firm, corporation, company, partnership, association or any other body and the heirs, executors, administrators, receivers, liquidators, curators and other legal representatives of such person according to the laws of that part of Canada applicable to the circumstances of the case;

- (l) "plant" means any manufacturing, producing, fabricating or processing establishment, shop, plant or enterprise, and every commercial and/or industrial premises of a like nature whether or not carried on in a building or structure or under a roof and, without restricting the generality of the foregoing, includes factory, mill (including a sawmill and planing mill), mine, logging camp, canning and fish processing establishment, refinery, garage, establishment or shop for repairing automobiles or machinery, grain elevator, warehouse or storehouse, greenhouse, wholesale and/or retail merchandising establishment, shop, store, hotel, restaurant, club, theatre, motion picture theatre, building or premises primarily devoted to sports or other amusement purposes, power plant and/or sub-station, power distribution line, printing and/or publishing establishment;
- (m) "supplies" means any of those articles, commodities, materials or things, whether made, partially made or in a natural or raw state, which, in the opinion of the Minister,
- (i) are capable of being made, either by themselves or in combination or conjunction with any other article, commodity, material or thing, into arms, ammunition, implements of war, or naval, military or air force stores, or
 - (ii) are, or may be, useful in the making, supply, transportation or storage thereof, or
 - (iii) are, or may be, necessary for the needs of the Government or of the community in war,
- and which articles, commodities, materials or things the Minister shall, from time to time by written order signed by him, designate as being "supplies" within the meaning of this paragraph (m); provided that such order shall have effect from the date of the signing thereof or such later date as the Minister may fix, and shall as soon as possible thereafter be published in the *Canada Gazette*; provided further that "supplies" does not and shall not include any article, commodity, material or thing in respect to which a Controller has been, or shall hereafter be appointed on the recommendation of the Minister of Munitions and Supply, or over, or in respect to which such a Controller, or the Wartime Prices and Trade Board, or any Administrator who has been, or may hereafter be, appointed by that Board has received, or may hereafter receive, jurisdiction or authority under or by virtue of any statute or Order in Council; and if any such article, commodity, material or thing, on the receipt of such authority or jurisdiction by such a Controller or the Wartime Prices and Trade Board or such an Administrator, has already been so designated by the Minister hereunder, then, from the date of the receipt of any such authority or jurisdiction by such Controller or such Board or such Administrator, such article, commodity, material or thing shall cease to be "supplies" within the meaning of this paragraph (m);
- (n) "equipment" means anything used or capable of being used (as to which the decision of the Minister shall be final and conclusive) in the making of, or dealing in, any supplies;
- (o) Words in the singular shall include the plural, and words in the plural shall include the singular, and the masculine, feminine or neuter gender respectively shall be deemed to denote either the neuter or the feminine or the masculine where the context so requires.

2. (1) The Controller shall have power, exercisable from time to time,

- (a) To take possession of, or otherwise acquire any supplies and/or any equipment wherever found, and generally to deal in supplies and/or equipment of any kind;
- (b) To enter on any land or into any plant or building, by himself or by any person duly authorized by him thereunto, for the purpose of inspecting or searching for any supplies and/or any equipment or any of the facilities therein or thereon used, or capable of being used, for making and/or dealing in the same;
- (c) To enter on, take possession of and utilize, by himself or by any person duly authorized by him thereunto, any land or premises or any plant, building or place, used or capable of being used for making and/or dealing in any supplies and/or any equipment;
- (d) Subject to the approval of the Minister, to fix or regulate the price or prices, or fix the maximum or minimum price or prices, at or for which any supplies and/or equipment of any kind may be dealt in;
- (e) To prohibit or regulate any practice, or mode of, or related to, making or dealing in any supplies and/or any equipment, or used or followed in connection therewith, which, in the opinion of the Controller, would or might increase, or tend to increase, the price of supplies and/or equipment of any kind either generally or to any person, or which would or might affect, or tend to affect, the orderly making of, and/or dealing in any supplies and/or any equipment;
- (f) Subject to the approval of the Minister, to fix or limit the quantity of any supplies and/or any equipment which may be made and/or dealt in by or to any person, either generally or for any specified use, and either generally or within specified periods of time; and to prohibit making and/or dealing in any supplies and/or any equipment in excess of the quantities so fixed or limited;
- (g) To issue and reissue licences to persons making and/or dealing in any supplies and/or any equipment, and to suspend, cancel or refuse to issue any such licence whenever the Controller deems it to be in the public interest to do so, and, subject to the approval of the Minister, to fix the fees payable for the issue of such licences, and to prescribe the manner, procedure, terms and conditions under which such licences shall be obtained;
- (h) To prohibit any person from making and/or dealing in supplies and/or equipment of any kind or kinds, or participating in any such making and/or dealing in any supplies and/or any equipment, either directly or indirectly, unless previously licensed by the Controller, or unless under a permit issued by the Controller;
- (i) To prohibit any person from exporting supplies and/or equipment of any kind unless previously licensed so to do by the Minister of Trade and Commerce under the provisions of Order in Council P.C. 2448 of 8th April, 1941, or under the provisions of any other Order in Council or statute of the Parliament of Canada;
- (j) To prohibit or regulate the construction of, or the making of any structural or other change or addition to, any plant or building used or to be used for, or in connection with, the making of, or dealing in, any supplies and/or any equipment;
- (k) To prohibit or regulate the use of any land, building or plant for the purpose of making and/or dealing in supplies and/or equipment of any kind;

- (l) To make or to require any person to make any structural change in, or addition to, or to provide or require any person to provide any equipment in, any plant, building or place for the purpose of, or to be used in any way in connection with, making and/or dealing in any supplies and/or any equipment;
- (m) To make orders regulating, fixing, determining and/or establishing the kind, type, grade, quality, standard and/or quantity of any supplies and/or any equipment that may be made and/or dealt in by any person; and to prohibit any making and/or dealing in any supplies and/or any equipment, contrary to any such order or orders;
- (n) Subject to the approval of the Minister, to establish a quota or quotas prescribing the kind, type, model, grade, standard, quality, classification or species of any supplies and/or any equipment that may be made and/or dealt in by any person; and subject as aforesaid, to prohibit any person from making and/or dealing in any supplies and/or any equipment except in accordance with any such quota or quotas, unless the Controller shall have issued a permit therefor, which permit may specify the manner in which such supplies and/or equipment may be made and/or dealt in contrary to such quota or quotas and/or the kinds, types, models, grades, standards, qualities, classifications or species of any supplies and/or any equipment, and the number of each, that may be made and/or dealt in contrary to such quota or quotas;
- (o) To order or require any person owning or having power to dispose of, or being in possession of, or making and/or dealing in any supplies and/or any equipment, to produce to any person, authorized in writing for the purpose by the Controller, all or any books, records and/or documents, and to permit the person so authorized to make copies of, or take extracts from the same and, when the Controller deems necessary, to remove and retain any such books, records and documents;
- (p) To order or to require any person having power to dispose of, or being in possession of, or making and/or dealing in any supplies and/or any equipment, or any agent, employee or representative of any such person, to furnish, in such form and within such time as the Controller may prescribe, such facts, data or information as the Controller may deem necessary; and the Controller may, at his discretion, require the same to be furnished under oath or affirmation;
- (q) Subject to the approval of the Minister, to enter upon and conduct any investigation or inquiry, which, in the opinion of the Controller, is necessary to obtain any information within the possession or knowledge of any person owning, or having the power to dispose of, or being in possession of, or making and/or dealing in any supplies and/or any equipment, or of any agent, employee or representative of any such person; and for such purpose the Controller shall have and exercise all powers of a commissioner duly appointed under part I of The Inquiries Act, being Chapter 99 of the Revised Statutes of Canada 1927 and amending Acts, and may engage the services of any person as provided in section 11 of the said Act.
- (r) To order or to require any person owning or having power to dispose of, or being in possession of, or making and/or dealing in any supplies and/or any equipment to make and/or deal in any

such supplies and/or equipment in such manner as may be so ordered, and, if ordered so to do (but subject to any order of the Priorities Officer of the Department of Munitions and Supply), in priority to any other business of such person;

- (s) Subject to the approval of the Governor General in Council, to advance moneys to any person engaged in the business of making and/or dealing in any supplies and/or any equipment for the purpose of assisting such person in the carrying out of such business;
 - (t) To regulate and control, by prohibition or otherwise any or all dealings or transactions between any person making and/or dealing in any supplies and/or any equipment and any other such person in respect of, or in connection with, any making and/or dealing in any supplies and/or any equipment, and/or the acquisition and/or use of any real and/or personal property, including any equipment, for or in connection therewith.
- (2) The powers set forth in the foregoing subsection (1) of this section 2 are several and not dependent on each other, and no paragraph or provision thereof shall be construed, unless so stated or indicated, as being limited in its generality by the terms of any other paragraph or provision.

3. Wherever herein any power is given to the Controller, whether or not subject to the consent or approval of the Minister or of the Governor General in Council, to make or give any order to, or with respect to, or impose any restriction, prohibition or requirement on, or with respect to, any person or thing, the Controller may exercise such power either generally with respect to the whole subject matter thereof, or partially or selectively with respect only to a portion or portions of the subject matter thereof, and, without restricting the generality of the foregoing, the provision or provisions of this Order in Council granting such power shall be deemed and construed to mean that such power is given, and may be exercised, in respect of, and/or in relation to:—

- (i) such person or thing in the plural or aggregate, or as, or in, a group or groups, as well as in the singular; and
- (ii) any particular number or numbers of persons or number or numbers or part or parts of any thing or things, as well as all of such persons, thing or things; and
- (iii) such person and/or thing either generally throughout Canada or in any particular province, place, area, zone or locality designated by the Controller; and
- (iv) such a person of any particular trade, industry, occupation, profession, group, class, organization, or society and/or such a thing of any particular kind, type, grade, classification, quality or species; and
- (v) an indefinite, undetermined or unspecified time or such period or periods of time as the Controller may specify.

4. If the Controller takes possession of any supplies and/or any equipment and/or of any real and/or personal property, or if the Minister determines that any person is entitled to compensation by reason of any order, then the compensation to be paid in respect thereof, in default of agreement, shall be such, in the case of any supplies and/or any equipment,

as is prescribed and determined by the Controller with the approval of the Minister, and in other cases shall be such as is determined by the Exchequer Court on reference thereto by the Minister.

5. Any person who contravenes or fails to observe any order or who, in any manner hinders or obstructs the Controller in the exercise of his powers, shall be guilty of an offence under the Department of Munitions and Supply Act.

6. If any person contravenes or fails to observe any order of the Controller whether general or specific, then in such case, and in addition to or in substitution for the penalties provided in the foregoing section 5 hereof, the Controller shall have power by his order to prohibit and restrain such person from making, dealing in and/or using any supplies and/or any equipment, and, to this end, the Controller may order such acts and things to be done or omitted as he may deem necessary to prevent or preclude the use of any particular supplies, equipment, plant, building and/or place in breach of any such order, and in particular may prohibit the sale and/or purchase of any supplies and/or any equipment by or to any such person.

7. Where the failure to fulfil any contract or obligation whether made before or after the date of this Order in Council is due to the compliance on the part of any person with any order, proof of that fact shall be a good and complete defence to any action or proceeding in respect of such failure.

8. A Deputy Controller of Supplies shall have and exercise any and all powers conferred on the Controller of Supplies subject to any restriction thereof which the Controller of Supplies may from time to time impose and subject in all cases to review by the Controller of Supplies.

9. The Controller, any Deputy Controller and any person acting for, or on behalf of, or under the authority of, the Controller shall not be or become liable to any person for anything done or omitted in the exercise or purported exercise of any power or authority from time to time vested in the Controller.

10. Order in Council P.C. 2448 of 8th April, 1941, as amended by Order in Council P.C. 4366 of 17th June, 1941, shall be deemed to be amended hereby to the extent necessary to give full force and effect to the provisions of section 2, subsection (1) paragraph (i) of the Regulations Respecting Supplies hereinbefore set forth, and any order made by the Controller by virtue thereof; and Schedule One of the said Order in Council P.C. 2448 as amended as aforesaid shall, from time to time, as may be rendered necessary by any such order made by the Controller, be deemed to be amended by the inclusion therein, under the appropriate group, category and/or heading, or under a new group, category and/or heading, of any and all articles, commodities, materials and/or things, the export of which, without a licence is prohibited by any such order made by the Controller.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Wartime Prices and Trade Board
Regulations, enforcement**

P.C. 6440

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 19th day of August, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, by Order in Council P.C. 3998 of the 5th day of December, 1939, the Wartime Prices and Trade Board Regulations, respecting necessities of life, were made and established;

And whereas the provisions of such Regulations were extended to the jurisdiction conferred by Parliament on the Board, in respect of the War Exchange Tax of ten per cent on the value for duty of imported goods, by amendment of Section 88a of the Special War Revenue Act;

And whereas the provisions of such Regulations were further extended to rentals and housing accommodation by Order in Council P.C. 4616 of the 11th day of September, 1940;

And whereas the provisions of such Regulations were further extended to the jurisdiction conferred on the Board by Order in Council P.C. 7373 of the 13th day of December, 1940, in respect of the goods specified in Schedules One and Two to the War Exchange Conservation Act, 1940, and in respect of persons dealing in any such goods;

And whereas the Minister of Finance reports that, in order to more effectually enforce the Board's orders or action taken pursuant to authority so conferred, it is deemed necessary and advisable that the powers conferred by said Order in Council P.C. 3998 to require performance of acts specified by the Board be amplified;

That, for the purposes of effectual control, it is deemed advisable that the Board be empowered to prescribe the conditions under which necessities of life may be sold or offered for sale;

That many months frequently elapse before contravention of the Board's orders comes to light, particularly in respect of rentals and housing accommodation, and it is deemed to be in the public interest that a longer time-limit for prosecuting than that provided in Part XV of the Criminal Code be specially provided; and

That it is deemed to be necessary and advisable for the security, order and welfare of Canada that the said regulations be amended as hereinafter set forth;

Now therefore The Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and pursuant to powers conferred by the War Measures Act and otherwise, is pleased to order as follows:—

- (1) Subsection 1 of Section 4 of the Regulations made by Order in Council P.C. 3998 of the 5th December, 1939, is hereby amended by adding thereto new clauses (*n*) and (*o*) as follows:

- "(n) to require any person to perform such act in respect of any necessary of life as is deemed by the Board to be desirable, or to require any person to refrain from performing such act as is deemed by the Board to be undesirable, in order more effectually to enforce its orders or to exercise its powers respecting such necessary of life;
- (o) to prescribe the conditions under which any necessary of life may be sold or offered for sale."
- (2) Section 11 of the regulations made by the said Order in Council P.C. 3998 is amended by adding thereto Subsection (2) as follows:—
- "(2) A prosecution for any contravention or non-observance of any of these regulations or for any contravention or non-observance of any regulation, order or requirement of the Wartime Prices and Trade Board made pursuant to authority conferred by these regulations or by any other Order in Council or Act of Parliament may be commenced within twelve months from the date on which the offence is alleged to have been committed."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council appointing a Security Control Officer at Port of Halifax

Canada Gazette (Extra), 3rd September, 1941

P.C. 6441

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 20th day of August, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Justice reports that it has been represented to him that certain security control measures should be taken at the Port of Halifax and that a security control officer and staff should be appointed to supervise and co-ordinate all security control matters at the Port, other than those which concern the internal security of His Majesty's Forces; and

That the security control officer, Port of Halifax, should be under the direction and control of the Commissioner of the Royal Canadian Mounted Police.

Now, therefore, the Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, concurred in by the Minister of Mines and Resources, the Minister of National Defence, the Minister of National Defence for Air, the Minister of National Defence for Naval Services, the Minister of National Revenue and the Minister of Transport and under and by virtue of the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, is pleased to order and doth hereby order as follows:—

1. There shall be a security control officer for the Port of Halifax, to be known as the Security Control Officer for Halifax, who shall be a commissioned officer of the Royal Canadian Mounted Police appointed by the Commissioner of the said Force.

2. An Assistant Security Control Officer and such other officers, clerks and employees as may be necessary for the purpose of carrying out the duties of the office may be appointed by the said Commissioner and shall be paid such salary or remuneration as the Commissioner may determine.

3. The Security Control Officer shall supervise and co-ordinate all security control measures taken to protect the Port of Halifax, other than those which concern the internal security of His Majesty's Forces, and for that purpose may:

- (a) arrange with the Royal Canadian Navy for
 - (i) an examination by naval control of all craft entering the Port of Halifax;
 - (ii) the institution of harbour patrols by naval craft;
 - (iii) the provision of naval personnel for guard duty where necessary for security control purposes at or in the vicinity of the Port of Halifax, except such as are required for the purpose of naval internal security, such guards to be under the control of the naval authority.
- (b) arrange with the Canadian Army for the provision of army personnel for guard duty where necessary for security control purposes at or in the vicinity of the Port of Halifax, except such as are required for the purpose of army internal security, such guards to remain under the control of the army.
- (c) arrange with the Royal Canadian Air Force for
 - (i) the provision of Air Force personnel for guard duty at or in the vicinity of the air ports in the Halifax area where necessary for security control purposes, except such as are required for the purpose of Air Force internal security, such guards to be under the control of the Air Force authority;
 - (ii) the institution of and the supervision and control of the security control measures to be taken at that part of the Royal Canadian Air Force airport at Eastern Passage which is allocated for use by public air transportation companies and civilian planes authorized to land in the area.
- (d) arrange with the Royal Canadian Mounted Police
 - (i) for the provision of uniformed members of the Royal Canadian Mounted Police for guard duty at the gates entering the joint services magazine and at His Majesty's Canadian Naval Dockyard at Halifax;
 - (ii) for the provision of special constable guards (recruited from veteran associations) for all piers and sheds and other property coming under the control of the National Harbours Board at the Port of Halifax;
 - (iii) for the investigation of all cases of alleged sabotage and espionage reported in the Port of Halifax;
 - (iv) to inform the Security Control Officer of all measures being taken by the Force to cover port security;

- (v) to secure from the postal, press, telephone, cable and telegraph censors all information pertaining to port security matters and to communicate same to the Security Control Officer.
- (e) arrange with the Radio Branch of the Department of Transport for
 - (i) the maintenance of active liaison with the security Control Officer and to keep him informed of local wireless monitoring activities carried on by the said Department;
 - (ii) the sealing of wireless transmitters in all merchant ships in the Port of Halifax.
- (f) arrange with the National Harbours Board to place the National Harbours Board police under the jurisdiction of the Security Control Officer for security control purposes, such police to remain under the control of the National Harbours Board.
- (g) arrange with the Department of National Revenue, Customs Division, for the customs examination of all passengers entering the Halifax area by sea and air.
- (h) arrange with the Department of Mines and Resources, Immigration Branch, to provide
 - (i) the Security Control Officer with all possible information respecting passengers and members of merchant crews who may be held in detention;
 - (ii) for the examination of crews and passengers of all vessels and aircraft arriving in Halifax.
- (i) arrange for liaison in security control matters between Naval, Military, Air Force and Royal Canadian Mounted Police intelligence services, the British Ministry of War Transport, the Mayor and Corporation of the City of Halifax, the Nova Scotia Power Commission, private power corporations and industrial concerns engaged in the execution of war contracts in the Halifax area.
- (j) arrange with Dominion, Provincial and municipal authorities for information on the following matters:
 - (i) visits of missions;
 - (ii) permits to movie corporation operatives to take photographs in prohibited areas;
 - (iii) arrival of dignitaries and the arrangements for their reception so that the movements of Canadian Broadcasting Corporation officials, press and movie photographers and press reporters may be facilitated;
 - (iv) advance information as to troop convoys in and out of the Port.

4. Every shipping agent at the Port of Halifax shall maintain direct contact with the Security Control Officer and shall obey any instructions which he may give relating to security control measures.

5. The Security Control Officer shall, three months after the coming into force of this Order, prepare a report to be submitted to the Governor in Council on the advisability or otherwise of declaring Halifax a protected area within the meaning of the Defence of Canada Regulations. He shall also from time to time make such recommendations as he deems necessary to the Minister of Justice as to any further or additional security control measures which should be put into force at the Port of Halifax.

6. All officers of the various departments of the Government of Canada in the Halifax area are hereby directed to co-operate fully with the Security Control Officer appointed under the provisions of this Order in carrying out the provisions hereof.

7. All expenses in connection with the administration of this Order shall be paid out of the War Appropriation.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations Load Line Certificates

P.C. 6497

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 22nd day of August, 1941.

PRESENT:

The Deputy of
His Excellency

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Transport reports,—

1. That ships making voyages between ports in Canada other than on any lakes or rivers are assigned load lines and issued load line certificates under like conditions as Load Line Convention ships, but that such ships are not subject to the provisions of the International Load Line Convention, 1930, and, under the provisions of subsection (4) of Section 423A of Chapter 23 of the Statutes of 1936, amending the Canada Shipping Act, 1934, are issued certificates known as Local Load Line Certificates in lieu of Load Line Convention Certificates.

2. That owing to war conditions, many ships which were employed trading between ports along the coasts of Canada are now employed in the ocean-going service, and that these ships have been replaced by ships of smaller carrying capacity.

3. That the number of smaller ships available for this service is not sufficient to transport the goods in the quantity offered.

4. That additional carrying capacity would be provided if these ships were allowed deeper loading than allowed by the "Load Line Rules for Ships making International Voyages other than Voyages between Canada and the United States of America on any Lakes or Rivers, and Voyages from any place in Canada to any other place in Canada other than on any Lakes or Rivers", and that it is considered desirable to allow deeper loading accordingly.

Therefore, the Deputy of His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport, and under and by virtue of the War Measures Act, Chapter 206, R.S.C. 1927, and notwithstanding anything contained in the Canada Shipping Act, 1934, as amended by Chapter 23 of the Statutes of 1936, is pleased to make the following regulations to provide

for the assignment to ships making voyages between ports in Canada other than on any lakes or rivers, of lesser freeboards than allowed by the "Load Line Rules for Ships making International Voyages other than Voyages between Canada and the United States of America on any Lakes or Rivers, and Voyages from any place in Canada to any other place in Canada other than on any Lakes or Rivers", made by Order in Council of the 18th day of December, 1937, P.C. 3094, and they are hereby made and established accordingly:—

REGULATIONS

1. The Load Line Rules referred to in these Regulations are the "Load Line Rules for Ships making International Voyages other than Voyages between Canada and the United States of America on any Lakes or Rivers, and Voyages from any place in Canada to any other place in Canada other than on any Lakes or Rivers", made by Order in Council of the 18th day of December, 1937, P.C. 3094, known as the "General Load Line Rules."
2. The ships which are eligible to be assigned lesser freeboards under these Regulations are non-passenger ships making voyages between ports in Canada other than on any lakes or rivers, and which would be given a Local Load Line Certificate, Form L.L. 3 or L.L. 3 T, under the General Load Line Rules.
3. The provisions of the General Load Line Rules, where applicable, shall apply to ships eligible to be marked with load lines under these Regulations, except as modified herein.
4. The summer freeboard as determined by the General Load Line Rules may be reduced by an amount which shall be determined by the Assigning Authority, but which shall not exceed three-tenths of an inch per foot of the corresponding summer draught.
5. The structural strength of the ship shall be sufficient for the draught corresponding to the reduced freeboard.
6. The position of the seasonal load line marks, other than the summer freeboard, is to be as assigned under the General Load Line Rules.
7. Any load line certificate issued under these Regulations shall be marked to show that it has been so issued, and a copy of the certificate, with particulars of the computation of freeboard, shall be forwarded to the Chairman, Board of Steamship Inspection.
8. Load Line certificates issued under these Regulations shall not remain in force after the 30th day of June, 1943, and all such certificates shall be subject to cancellation by the Minister of Transport at any time previous to that date.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing lighter coating of tin plate in canning foods

P.C. 6554

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of August, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCE

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Pensions and National Health reports that the Metal Controller of the Department of Munitions and Supply has called to the attention of officials of the Department of Pensions and National Health the necessity for conserving stocks of tin and has requested the co-operation of the Department in view of the fact that a very substantial proportion of the tin used on this continent is consumed in the canned foods industry; that the long standing specifications for tin plate established by regulation under the Food and Drugs Act demand a proportion of tin decidedly in excess of that employed in American factories and that the tin plate with a lighter coating of tin is now being used in the United States of America on instructions from the Office of Production Management at Washington;

That in view of the present emergency caused by the war it is necessary to make provision for the use of lighter tin plate in Canadian industry in order to conserve existing stocks of tin;

That the maintenance of supplies of this metal has been seriously hampered by difficulties of transportation from the Indies and the non-release of the metal by countries actively engaged in the manufacture of implements of war in which this metal is indispensable;

That the present practice in the United States indicates that a substantial saving of tin may be effected by the food canning industry if the steel plate is coated with a lighter weight of tin; and

That in the opinion of responsible officers of the Department of Pensions and National Health it is deemed advisable as a war time measure that provision be made for the use of a lighter coating of the tin plate imported into Canada or manufactured in Canada for the purpose of making containers for certain food products.

Therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health and under and by virtue of the War Measures Act, Chapter 206, R.S.C. 1927 and notwithstanding anything contained in paragraph 4 (a) of Subsection A of Subdivision Ix, Division I of the regulations under the Food and Drugs Act, or anything contained in any other regulation or statute, is pleased to make the following regulations and they are hereby made and established accordingly:—

REGULATIONS

1. Any tinned plate containers employed in canning the following foods shall be manufactured from plate carrying not less than one and five-tenths (1·5) pounds of tin per base box distributed over the surfaces as uniformly as is possible in commercial practice.

Fruits—

Apple products
Whole apricots

Halved apricots
Berries, all varieties
Cherries
Cranberry products
Currants
Fruits, spiced and pickled
Fruits, strained
Grapefruit
Grapes
Ripe or green olives
Peaches, spiced
Pears, spiced
Plums
Prunes, in water or in syrup
Quinces
Rhubarb

Vegetables—

Green beans, all styles in inside enamelled cans
Dry beans, Mexican style
Beets, all packs
Carrots, all packs
Pickles
Sauerkraut
Homogenized, strained or chopped vegetables, all styles

Specialties—

Pectin
Chow Chow
Fruit butters
Jams, jellies and fruit pulps
Marmalades
Mincemeat
Puddings, plum
Puddings, spiced
Mayonnaise and mayonnaise sandwich spreads
Acid bottlers' syrup
Grape concentrates

Juices—

Apple
Apple-raspberry blends
Apple-cherry blends
Cherry
Cider
Cranberry
Grape
Lemon
Loganberry
Nectars
Orange, only in inside enamelled cans
Orange-grapefruit, only in inside enamelled cans
Prunes
Sauerkraut
Carrots

Fish Products—

When pickled or packed in vinegar sauces

Meats and Meat Products—

Chile-con-Carne

Frankfurters

Sauerkraut, packed with meat or meat products

Meats with vinegar in the pack, such as pickled pigs' feet.

2. Tinned plate containers made from cold process plate and employed in canning moist foods other than those included in Regulation No. 1, shall be made from plate carrying not less than one and thirty-five hundredths (1·35) pounds of tin per base box distributed over the surfaces as uniformly as is possible in commercial practice.

3. Tinned plate containers made from hot milled steel plate and employed in canning moist foods other than those included in Regulation No. 1, shall be made from plate carrying not less than one and five-tenths (1·5) pounds of tin per base box, distributed over the surfaces as uniformly as is possible in commercial practice.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council abolishing Censorship Co-ordination Committee

P.C. 6571

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of August, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of National War Services reports that the War Committee of the Cabinet, on July 31st, directed that the Minister of National War Services be made responsible for co-ordination of censorship;

And whereas an interdepartmental Committee on Censorship was set up under authority of Order in Council P.C. 531 of the 14th March, 1938, to inquire into and report upon a comprehensive scheme for the institution of censorship in time of war or emergency real or apprehended;

And whereas Order in Council, P.C. 2513, of the 3rd September, 1939, constituted a "Censorship Co-ordination Committee," which was empowered to direct and co-ordinate the censorship activities of the several departments of the Government of Canada;

And whereas by P.C. 4072, of December 8th, 1939, Colonel M. A. Pope, of the Department of National Defence, was appointed Chairman of the Censorship Co-ordination Committee;

Now, therefore, in view of the direction hereinbefore referred to, the Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of National War Services, is pleased to revoke and doth hereby revoke paragraph (b) of section 3 of Order in Council, P.C. 531, of the 14th March, 1938, Order in Council, P.C. 2513, of September 3rd, 1939, and Order in Council, P.C. 4072, of the 8th December, 1939.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

**Order in Council authorizing Steamship Inspectors to issue certificates
of inspection in certain cases**

P.C. 6574

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of August, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Transport reports that, due to the war and consequent difficulty in obtaining dry-dock accommodation for inspection purposes, delay is being experienced in the inspection of vessels and equipment, and their certification in accordance with the provisions of the Canada Shipping Act, 1934, and regulations made thereunder; and

That, to avoid shipping delays, it is advisable, in the present emergency, to permit a certain latitude respecting the issue of certificates of inspection, and to provide that, where delay would otherwise occur, the Chairman of the Board of Steamship Inspection shall have power to authorize a steamship inspector to issue the required certificate, having regard at all times to the safe operation of the vessel and the safety of the persons carried thereon.

Now, therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport and under the provisions of the War Measures Act, Chapter 206, R.S.C. 1927, and notwithstanding anything contained in the Canada Shipping Act, 1934, as amended by Chapter 23 of the Statutes of 1936, is pleased to authorize and doth hereby authorize the Chairman, Board of Steamship Inspection, to waive compliance with certain steamship inspection requirements in specific cases, and to authorize Steamship Inspectors to issue certificates of inspection in such cases, provided that the Chairman of the Board of Steamship Inspection shall not waive compliance with any law or regulation to such an extent as would permit of the operation of a ship in an unsafe condition, or without equipment which, in his opinion, or in the opinion of the Board of Steamship Inspection, should be provided.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

**Order in Council providing for the appointment of Deputy
Priorities Officers**

P.C. 6655

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of August, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, by Order in Council P.C. 1169 of 20th February, 1941, the Plan in respect of Priorities set forth in Schedule "A" thereto was established and put in effect;

And whereas, by Order in Council P.C. 3481 of 16th May, 1941, provision was made (among other things) for the appointment of Deputy Priorities Officers; but, in view of the transfer to the Controller of Construction of the Powers and duties vested in, or charged on the Priorities Officer by the said Order in Council P.C. 3481, the said provision in such Order in Council for the appointment of Deputy Priorities Officers has been rescinded;

And whereas it is deemed advisable to make provision for the appointment of Deputy Priorities Officers; and also to relieve the Priorities Officer and any Deputy Priorities Officer from Liability for anything done or omitted in the course of the administration of the said Plan in respect of Priorities;

Now therefore the Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply and under and by virtue of the powers conferred on the Governor in Council by The Department of Munitions and Supply Act and by The War Measure Act, is pleased to order as follows:—

1. The following paragraph to be numbered 4 is hereby added to Order in Council P.C. 1169 of 20th February, 1941, to follow immediately after the paragraph numbered 3.

“4. The Priorities Officer, any Deputy Priorities Officer and any person acting for, or on behalf of, or under the authority of, the Priorities Officer shall not be or become liable to any person for anything done or omitted in the exercise or purported exercise of any power or authority from time to time vested in the Priorities Officer.”

2. The Plan in respect of Priorities set forth in Schedule A to the said Order in Council P.C. 1169 of 20th February, 1931, is hereby amended as follows:

(a) The following additional paragraph to be known as paragraph (g) is added to Section 1 to follow immediately after paragraph (f) thereof,

“(g) “Deputy Priorities Officer” means any person from time to time appointed a Deputy Priorities Officer by the Minister, and for the time being in office as such;”

(b) Section 4 of the said Plan is hereby rescinded and the following is substituted in place thereof:

“4. The Minister shall appoint a Priorities Officer, to carry out this Plan, and may appoint one or more Deputy Priorities Officers as he may deem advisable for that purpose.

(c) The following additional section, to be known as Section 4A is hereby added to follow immediately after Section 4 of the said Plan,

“4A. A Deputy Priorities Officer shall have and exercise any and all powers and authorities and discharge any and all duties conferred or charged upon, or vested in, the Officer subject to any restriction thereof which the Officer may from time to time impose and subject in all cases to review by the Officer.”

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

**Order in Council authorizing a Controller of Construction and a
Deputy Controller**

P.C. 6656

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of August, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, by Order in Council P.C. 1169 of 20th February, 1941, provision was made for the appointment of a Priorities Officer, and, by Order in Council P.C. 3481 of 16th May, 1941, as amended by Orders in Council P.C. 3634 of 21st May, 1941, and P.C. 4320 of 17th June, 1941, such Priorities Officer was vested with powers and authorities and charged with the duties respecting the installation of equipment and the erection and repair of buildings set forth in the said Order in Council P.C. 3481 as amended;

And whereas, in view of the complexity of the other duties charged on the Priorities Officer and the increasing pressure of the same, it is deemed desirable to relieve the Priorities Officer of the powers, authorities and duties vested in or charged upon him by the said Order in Council P.C. 3481 as amended, and vest and charge the same in and on a Controller of Construction;

Now therefore the Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under and by virtue of the powers conferred on the Governor in Council by the Department of Munitions and Supply Act and by the War Measures Act, is pleased to order and it is hereby ordered as follows:—

There shall be a Controller of Construction who shall, on and after the 21st day of August, 1941, have and exercise the powers, authorities and rights and discharge the duties conferred or charged upon, or vested in, the Priorities Officer under and by virtue of the said Order in Council P.C. 3481 as amended as aforesaid; and on and after the said 21st day of August, 1941, the Priorities Officer shall cease to have and exercise such powers and discharge such duties conferred or charged upon him as aforesaid.

2. The said Order in Council P.C. 3481 of 16th May, 1941, as amended as aforesaid, is hereby further amended as follows:

- (a) Paragraph (f) of Section number 1 is rescinded and the following is substituted in place thereof,—
 - (f) "the Controller" or "The Controller of Construction" means the person from time to time appointed Controller of Construction by the Governor General in Council, and for the time being in office as such;"
- (b) The following additional paragraph to be known as paragraph (ff) is hereby added to Section number 1, to follow immediately after paragraph (f) thereof,—
 - "(ff) "Deputy Controller" means any person from time to time appointed a Deputy Controller of Construction by the Governor General in Council, and for the time being in Office as such;"

- (c) Section 4 is hereby rescinded and sections 5, 6, 7 and 8, are renumbered 6, 7, 8, and 9 respectively.
- (d) The following two new sections numbered 4 and 5 respectively are hereby added to follow immediately after Section 3:
 - "4. A Deputy Controller of Construction shall have and exercise any and all powers and authorities and discharge any and all duties conferred or charged upon, or vested in, the Controller of Construction, subject to any restriction thereof which the Controller of Construction may from time to time impose and subject in all cases to review by the Controller of Construction.
 - "5. The Controller, any Deputy Controller and any person acting for, or on behalf of, or under the authority of, the Controller shall not be or become liable to any person for anything done or omitted in the exercise or purported exercise of any power or authority from time to time vested in the Controller."
- (e) The words "Priorities Officer" and the words "the Officer" wherever they appear in Sections 1 to 8 as originally numbered (or in 1 to 9 as renumbered hereby) both inclusive are hereby deleted and the words "Controller of Construction" and "the Controller" respectively are substituted in the place thereof.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

**Order in Council adding hay, straw and various forms of alfalfa to list
of commodities under export control**

Canada Gazette (Extra), 29th August, 1941

P.C. 6685

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of August, 1941.

PRESENT:

The Deputy of
His EXCELLENCY
THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Trade and Commerce reports that it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, in addition to those enumerated and described in Schedule One of Order in Council P.C. 4366 of June 17th, 1941, deemed capable of being converted into or made useful in military, naval and air stores, in order to carry out more effectively the Regulations respecting Trading with the Enemy, 1939, and to conserve supplies of commodities required for Canadian and United Kingdom requirements.

Now therefore the Deputy of the Governor General in Council, on the recommendation of the Acting Minister of Trade and Commerce and under and by virtue of the power vested in the Governor General in Council by

Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206, R.S.C. 1927), is pleased to order that effective on and after the first day of September, 1941, the undermentioned commodities be and they are hereby added to Group One of Schedule One of Order in Council P.C. 4366 of June 17, 1941:—

Hay, all kinds
Straw, all kinds
Alfalfa, Alfalfa Meal and
Alfalfa Leaf Meal.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

Order in Council authorizing a Canadian Merchant Navy Badge

P.C. 6686

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of August, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Transport represents that the personnel of ships of Canadian registry trading in waters where enemy submarines, surface raiders and aircraft operate are virtually part of our fighting forces, and, in the circumstances, it is desirable to provide a Canadian Merchant Navy Badge to be worn by the said personnel when on shore in civilian attire, in order that recognition may be accorded the national importance of their contribution to the sea transport of troops, munitions and supplies, and the carriage of exports to overseas markets;

Therefore, the Deputy of His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport, and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased hereby to authorize the establishment of a Canadian Merchant Navy Badge, and to make the following regulations relating thereto and they are hereby made and established accordingly:—

REGULATIONS

1. These Regulations shall be deemed to have come into operation on the 3rd day of September, 1939.

2. Any member of the personnel of ships of Canadian registry who has served not less than three months on ships trading in waters where enemy submarines, surface raiders and aircraft operate, or less than three months on a ship which has been attacked by the enemy, shall be eligible for the Canadian Merchant Navy Badge.

3. For the purpose of these Regulations, such waters as may, from time to time, be determined by the Minister of Transport on the recommendation of the Minister of National Defence for Naval Services, shall be deemed to be waters where enemy submarines, surface raiders and aircraft operate.

4. Badges shall be distributed and issued in such manner as may be directed by the Minister of Transport.

5. Every badge so issued shall bear a serial number for the purpose of identification.

6. Applications for the Canadian Merchant Navy Badge shall be made on such form as is described by the Minister of Transport and eligibility shall be established by reference to records in the Central Index Register of Seamen at Ottawa.

7. With each badge shall be issued a certificate in the form prescribed by the Minister of Transport, numbered serially to the effect that the person mentioned therein is entitled to wear the badge bearing the corresponding number; such certificate shall contain particulars respecting the person to whom it is issued.

8. Every person wearing or having in his possession one of the said badges shall carry the corresponding certificate mentioned in Section 7 of these Regulations as evidence of his right to wear or possess the badge and shall, on the request of any Police Constable produce the said certificate for inspection and identification. Any irregularity will be reported with particulars of the case to the local Police for investigation.

9. No person other than one duly authorized under these Regulations shall wear any badge issuable thereunder or any badge so nearly resembling the same as to be calculated to deceive or any badge purporting to show the wearer comes within the classification aforesaid.

10. Every person who by false representation or mis-statement obtains or attempts to obtain any badge or certificate issuable under these Regulations either from the authorities charged with the issue of the same or from any person to whom said badge and certificate may lawfully have been issued shall be guilty of an offence under these Regulations.

11. Every person to whom any badge or certificate has been issued under these Regulations who defaces or alters any such badge or certificate or who sells, pledges, or otherwise disposes of, or attempts to sell, pledge, or otherwise dispose of the said badge, and every person who thereby obtains possession of the said badge shall be guilty of an offence under these Regulations.

12. In case any person shall lose either his badge or certificate, he shall forthwith report the loss to the Director of Marine Services, Department of Transport, Ottawa, and a new badge may be issued if circumstances warrant.

13. For the purpose of the trial of a person under these Regulations the offence shall be deemed to have been committed either at the place in which the same actually was committed or at any place in Canada in which the offender may be found.

14. Any person violating or infringing any of the provisions of these Regulations shall be liable, on summary conviction, under the provisions of Part XV of the Criminal Code, to a fine not exceeding five hundred (\$500) or to imprisonment for a period not exceeding six (6) months. Upon the prosecution of any person for illegally wearing the badge herein approved, the production of the authority mentioned in Section 7 herein shall be *prima facie* proof that the accused is entitled to wear same, but in the absence of such certificate the onus of proof shall be upon the accused.

15. The following shall be the form of the badge to be issued under these Regulations:

Canadian Merchant Navy Badge.—A badge of white metal—
with shank and back; consisting of an oval frame simulating a rope
tied with a reef knot; across the oval frame, two parallel bars
supporting the letters "MN"; surmounting the frame is an arcuate
panel with the word "CANADA" in raised letters; above the panel
is a Naval Crown; and having on the back the serial number.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

Order in Council authorizing penalties, maximum rentals

Canada Gazette (Extra), 4th September, 1941

P.C. 6701

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of August, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 4616 of the 11th day of September, 1940, the provisions of the Wartime Prices and Trade Board Regulations, established by Order in Council P.C. 3998 of the 5th day of December, 1939, were made to extend and apply to rentals and housing accommodation;

And whereas by said Order in Council P.C. 3998, as thus extended, the Wartime Prices and Trade Board was empowered, subject to the approval of the Governor-in-Council, to fix the maximum rental at which any housing accommodation may be rented or offered for rent;

And whereas by Order in Council P.C. 5003 of the 24th day of September, 1940, the said Board was authorized accordingly to fix the maximum rental at which any housing accommodation may be rented or offered for rent, to prescribe the manner in which any maximum rental shall be determined and to appoint local Committees for the purpose of adjudicating upon complaints and applications respecting rentals, and was further authorized to prescribe the conditions under which any housing accommodation may be rented or offered for rent and to make regulations respecting maximum rentals, housing accommodation and leasehold rights and obligations;

And whereas pursuant to the authority conferred by the aforesaid Orders in Council, the said Board has made a number of Orders fixing maximum rentals in specified areas of Canada and prescribing the manner in which the maximum rentals may be varied or determined by the Rentals Administrator or by appointed local Rentals Committees and has authorized the Rentals Administrator to fix the maximum rental for any particular housing accommodation in any other area of Canada;

And whereas reports and investigation lead to the belief that many persons in some areas of Canada have charged or demanded rentals in excess of the

maximum rental fixed by Orders of the Board or fixed by the Rentals Administrator or fixed by local Rentals Committees and approved by the Rentals Administrator under the provisions of such Orders or other authority of the Board, and, from experience gained, the Board deems it to be desirable and in the public interest that the effect of Sections 9 and 10 of the said Order in Council P.C. 3998, relating to offences and penalties, be specifically declared in respect of rentals and housing accommodation;

And whereas pursuant to authority conferred by said Orders in Council, the Board, by several Orders made regulations respecting termination of leases and other leasehold rights and obligations, and made other provisions respecting the renting of housing accommodation and, reports indicating that in some areas of Canada persons are contravening or failing to observe such regulations and provisions, the said Board deems it desirable and in the public interest that it be declared that the penalties provided in Section 10 of said Order in Council P.C. 3998 apply to contravention or failure to observe such regulations and provisions;

And whereas, under the provisions of Orders of the Board, no rental in excess of that fixed by an Order of the Board or fixed by the Rentals Administrator or by a local Rentals Committee may be charged or demanded without applying for and obtaining the permission of the Rentals Administrator or of the local Rentals Committee to increase the maximum rental and, for the purposes of prosecution or civil proceedings, it is deemed desirable that an affidavit as to the absence of an application may be received as *prima facie* evidence of such absence;

And whereas, under the provisions of Orders of the Board, decisions of the Rentals Administrator fixing maximum rentals are final and conclusive, and decisions of a local Rentals Committee fixing maximum rentals are final and conclusive when approved by the Rentals Administrator, and it is deemed desirable, for purposes of prosecution or civil proceedings, that an affidavit as to a particular document being a final and conclusive decision be received as *prima facie* evidence of such decision;

And whereas it is deemed to be necessary and advisable for the security, order and welfare of Canada that the Order hereinafter set forth be made accordingly;

Therefore the Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and pursuant to powers conferred by the War Measures Act and otherwise, is pleased to order and doth hereby order as follows:

- (1) Any person who, on behalf of himself or another person, heretofore has charged or demanded or hereafter charges or demands a rental for any housing accommodation in excess of the maximum rental fixed by any Order of the Wartime Prices and Trade Board, or fixed by the Rentals Administrator, or fixed by any Rentals Committee and approved by the Rentals Administrator, shall be deemed to have contravened subsection (1) of Section 9 of Order in Council P.C. 3998 of the 5th day of December, 1939, and to be guilty of an offence, and the penalties provided in Section 10 of such Order in Council shall apply to any such offence.
- (2) Any person who contravenes or fails to observe any order, regulation or requirement of the Wartime Prices and Trade Board respecting rentals, housing accommodation, termination of leases, or other leasehold rights or obligations, shall be guilty of an offence and the penalties provided in Section 10 of the said Order in Council P.C. 3998 shall apply to any such offence.

- (3) In any Court, an affidavit of a person constituting a Rentals Committee, or of the Chairman or Secretary of a Rentals Committee, or of the Clerk of a Court with whom applications to a particular Rentals Committees are filed, or of an officer or official of the Wartime Prices and Trade Board in charge of records of applications to Rentals Committees or to the Rentals Administrator, sworn before any commissioner or other person authorized to take affidavits, to the effect that after careful search he has been unable to find in any given case that an application for permission to increase a maximum rental has been made, shall be received as *prima facie* evidence that in such case no such application has been made.
- (4) In any Court, an affidavit of the Rentals Administrator, or of the Deputy Rentals Administrator, or of an officer or official of the Wartime Prices and Trade Board in charge of records of decisions, sworn before any commissioner or other person authorized to take affidavits, to the effect that an annexed decision is the final and conclusive decision of the Rentals Administrator, or of the Deputy Rentals Administrator, or of a specified Rentals Committee, fixing the maximum rental for the housing accommodation specified therein, shall be received as *prima facie* evidence that it is such final and conclusive decision.

(Sgd.) H. W. LOTHROP,

Asst. Clerk of the Privy Council.

**Order in Council granting Wartime Cost of Living Bonus to members
of Public Service of Canada**

P.C. 6702

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 26th day of August, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Finance reports:

1. That Order in Council of December 16th, 1940, P.C. 7440, as amended by Order in Council of June 27th, 1941, P.C. 4643, approved principles of wartime wage policy applicable to conditions in industry and recommended that in the event of increases in the cost of living, a wartime cost of living bonus be paid to employees of industry on the following basis:

- “(i) Such bonus shall be based on the increase in the cost of living as measured by the Cost of Living Index prepared by the Dominion Bureau of Statistics for the Dominion as a whole.
- “(ii) The increase shall be measured from August, 1939, or from the effective date (subsequent to August, 1939) of the granting of the last previous increase in wage rates or bonus, which brought the wage rate level (including any bonus other than a cost of living bonus pursuant to the provisions of this section) of the employer up to a fair and reasonable level.

"(iii) The bonus shall be paid in the first instance only if the cost of living has risen by as much as 5 per cent; thereafter the bonus shall be increased only if the cost of living has risen by 5 per cent or more and three months have elapsed since the last previous determination of the amount of the bonus, or decreased only if the cost of living has fallen by 5 per cent or more and three months have elapsed since the last previous determination of the amount of the bonus.

"(iv) Subject to the provision of the last preceding subsection, for each rise of 1 per cent in the cost of living the amount of the bonus shall be 25c. per week, except for male workers under 21 years of age and female workers, who, if employed at basic rates of less than 50c. an hour on jobs which by custom or practice are not ordinarily assigned to adult male workers, shall receive a bonus of 1 per cent of their basic wage rates."

2. That it is desirable to apply substantially the same bonus plan as recommended for employees of industry to members of the public service of Canada, subject to such modifications as are suited to the public service;

3. That certain principles must be established to meet special conditions of employment to be found in the public service, including regulations with reference to:

- (a) The line of demarcation in the salary range between the percentage rate bonus and the flat rate bonus;
- (b) The maximum salary rate at which employees will be eligible for bonus;
- (c) The application of the bonus to manual workers regardless of total compensation; and

4. That the Dominion Bureau of Statistics has reported that the Cost of Living Index on August 1st, 1939, was 100·8 and that on July 1st, 1941, it had risen to 111·9, which is an increase of 11·1 points or 11·01 per cent;

Therefore the Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under and by virtue of the War Measures Act, is pleased to order and doth hereby order as follows:—

5. In this Order in Council, unless the context otherwise requires:

- (a) "Total compensation" means all payments which are remuneration, regardless of their amount or designation, whether such payments are in cash or in kind, or are paid at annual, monthly, weekly, hourly or other stated rates, or are based on fixed or prevailing rates, or are authorized by Statute, by Order in Council, or by other competent authority, so long as the same constitute remuneration for services in virtue of any employment as a member of the public service of Canada, but does not include commissions, fees, extra pay, overtime pay, or cost of living bonus or flat increase in lieu of such bonus.
- (b) "Head of Household" means a married man or woman, a single or divorced person, widow or widower, who maintains a self-contained domestic establishment and who actually supports therein a person wholly dependent upon him and connected with him by marriage, blood relationship or adoption.
 - (i) "Self-contained domestic establishment" means a dwelling house, apartment or other similar place of residence containing at least one bedroom, in which residence the employee as a general rule sleeps and has his meals prepared and served.

- (ii) A person connected with the employee by marriage means the wife or husband, parents, uncle, aunt, nephew, niece, grandparents and great-grandparents of the employee's wife or husband, stepchildren, brothers-in-law and sisters-in-law.
 - (iii) A person connected with the employee by blood relationship means parents, foster parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brother or sister, uncle or aunt, nephew or niece.
 - (iv) Connection with the employee by adoption shall include adoption in fact as well as legal adoption.
- (c) "Manual worker" shall not include any employee performing duties or undertaking responsibilities of a supervisory nature.
- (d) "Member of the public service of Canada" means every officer, clerk and employee in any branch or portion of the public service of Canada to whom any compensation is paid, either directly or indirectly out of the revenue of His Majesty in respect of his Government of Canada, other than members of the military, naval and air forces of Canada on active service (including members of any auxiliary force, corps or service under the control or supervision of the Minister of National Defence, for such time as they, as members of such force, corps or service, are on full-time employment with pay and allowances) and the Royal Canadian Mounted Police, and includes members, officers, clerks and employees of every commission, board or corporate body being an agent or trustee of His Majesty in respect of his Government of Canada, created or established under the authority of an act of the Parliament of Canada, other than the Canadian National Railway Company, the Canadian Broadcasting Corporation and the Bank of Canada.

6. Subject to the restrictions contained in Subsections (ii) and (iii) of Section 5 of Order in Council of December 16th, 1940, P.C. 7440, as amended, and in Section 8 hereof, the flat rate of bonus of 25c. per week for each 1 per cent increase in the cost of living shall be applied to every member of the public service of Canada employed on a full-time basis whose total compensation is \$108 per month or over and to every head of household whose total compensation is less than that sum. The maximum in the first instance shall be \$11.91 per month, computed in accordance with the terms of Section 4 hereof.

7. Subject to the restriction contained in Subsections (ii) and (iii) of Section 5 of Order in Council of December 16, 1940, P.C. 7440, as amended, for each rise of 1 per cent in the cost of living, a bonus of 1 per cent of his total compensation shall be paid to every member of the public service of Canada who is employed on a part-time basis, and to every member of the public service of Canada employed on a full-time basis, whose total compensation is less than \$108 per month who is not the head of a household, but the total bonus paid shall in no case exceed the bonus payable under the flat rate. The maximum bonus in the first instance shall be 11 per cent of the total compensation.

8. Payment shall be restricted to members of the public service of Canada whose total compensation is at the rate of less than \$2,100 per annum, and manual workers engaged in Government activities undertaken in connection with war production and distribution, irrespective of their rate; provided that bonus payments shall not result in any employee, except such manual workers, being paid more than \$2,100 per annum.

9. The additional expenditure involved shall be paid from the source from which the salary of the member of the public service of Canada is paid.

10. Persons to whom a flat rate of bonus is applicable, whose compensation in any pay period is less than the usual full-time compensation, shall receive that proportion of the flat rate bonus which the compensation received bears to their ordinary full-time total compensation for the pay period.

11. A member of the public service of Canada who may for any reason be employed on half pay shall receive half of the bonus to which he would be entitled on the basis of his total full-time compensation for the period during which he is employed on half pay.

12. The cost of living bonus shall not be paid to Postmasters and Staffs of Revenue Post Offices, but shall be paid to Postmasters and staffs of Semi-Staff Post Offices on the basis of their fixed annual salary rate.

13. A lightkeeper, who, out of the stated annual salary for his position, is required to pay the salary of one or more assistants, shall be eligible for bonus on the basis of the salary rate established for his position for super-annuation purposes.

14. The cost of living bonus shall not be considered as compensation for the purposes of the Civil Service Superannuation Act, Part 2 of the Civil Service Superannuation and Retirement Act or as a basis for contributions to the Retirement Fund, as provided under Section 5 of Order in Council of April 19, 1940, P.C. 1/1569, but shall be subject to deduction for purposes of the National Defence Tax.

15. The bonus shall be payable for the full month in which death occurs if the salary is paid for the full month.

16. The gratuity on death, provided under Section 56 of the Civil Service Act, shall not include bonus.

17. For calculation of bonus on the basis of the percentage increase in the cost of living, the percentage to the nearest tenth of 1 per cent, as provided by the Dominion Bureau of Statistics, shall be employed.

18. The Treasury Board may make such regulations not inconsistent with the provisions hereof as may be deemed necessary or desirable to carry out the purposes and intentions of this Order in Council and if any doubt arises as to the interpretation of any provisions hereof the decision of the Treasury Board on any such questions shall be final and conclusive.

19. The foregoing shall be effective from August 1, 1941, and shall be based on the Cost of Living Index furnished by the Dominion Bureau of Statistics as of July 1, 1941, and shall be revised by the Treasury Board in accordance with the procedure outlined in Subsection (iii) of Section 5 of Order in Council of December 16, 1940, P.C. 7440, as amended.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

Proclamation

27th August, 1941.

L. P. DUFF

Deputy Governor General

[L.S.]

CANADA

GEORGE THE SIXTH, by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas KING, Defender of the Faith, Emperor of India;

To all to whom these Presents shall come or whom the same may in anywise concern, GREETING:

A PROCLAMATION

W. STUART EDWARDS,

Deputy Minister of Justice, Canada.

Whereas on the tenth day of September, one thousand nine hundred and thirty-nine, the Dominion of Canada declared a State of War with the German Reich;

And whereas at the beginning of the Third year of this war the leaders of democracy have re-affirmed their determination to continue the struggle until the evil of Nazi tyranny has been destroyed;

Now Know Ye that We by and with the advice of Our Privy Council for Canada have thought fit to ordain and declare and do by this Our Proclamation ordain and declare that the week commencing Wednesday, the tenth of September and ending on Wednesday, the seventeenth of September, inclusively, in the present year, be observed throughout our Dominion of Canada in national honour for those who on land, sea, and in the air are the defenders of our country, and in proud memory for those valiant hearts who have gone out from among us in the most precious of all sacrifices for our common freedom;

And Know Ye further that We do also hereby ordain and declare this week as one of reconsecration of our lives and possessions, of everything we have and everything we are, for the principles which, under Divine Providence, have been our stay and help in the Past, to the end that torment may be lifted from men's hearts and peace and safety come for all nations and peoples.

Of all which Our Loving Subjects and all others whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

In testimony whereof We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. Witness: Our Right Trusty and Well-beloved Counsellor the Right Honourable Sir LYMAN POORE DUFF, a Member of Our Most Honourable Privy Council, Knight Grand Cross of Our Most Distinguished Order of Saint Michael and Saint George, Chief Justice of Canada and Deputy of Our Dear Uncle, Our Right Trusty and Right Well-beloved Cousin and Counsellor, Alexander Augustus Frederick George, Earl of Athlone, Knight of Our Most Noble Order of the Garter, a Member of Our Most Honourable Privy Council, Knight Grand Cross of Our Most Honourable Order of the Bath, Grand Master of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, Companion

of Our Distinguished Service Order, Colonel in Our Army (retired), having the honorary rank of Major-General, one of Our Personal Aides-de-Camp, Governor General and Commander-in-Chief of Our Dominion of Canada.

At Our Government House, in Our City of Ottawa, this twenty-fifth day of August, in the year of Our Lord one thousand nine hundred and forty-one and in the fifth year of Our Reign.

By Command:

E. H. COLEMAN,

Under Secretary of State.

Order in Council establishing the Wartime Prices and Trade Board Regulations

Canada Gazette (Extra) 4th September, 1941

P.C. 6834

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 28th day of August, 1941.

PRESENT:

The Deputy of

His Excellency

THE GOVERNOR GENERAL IN COUNCIL

Whereas, by Order in Council P.C. 3998 of the 5th day of December, 1939, the Wartime Prices and Trade Board Regulations, respecting necessities of life as therein defined, were made and established;

And whereas, by amendment of Section 88 (a) of the Special War Revenue Act, by Order in Council P.C. 4616 of the 11th day of September, 1940, and by Order in Council P.C. 7373 of the 13th day of December, 1940, the provisions of such Regulations were extended and made to apply to the jurisdiction respectively conferred upon the Board in respect of the War Exchange Tax of 10 per cent on the value for duty of imported goods, in respect of housing accommodation and in respect of goods specified in Schedules One and Two to the War Exchange Conservation Act, 1940;

And whereas by several Orders in Council the Wartime Industries Control Board was established and Controllers were appointed, and may in future be appointed, on the recommendation of the Minister of Munitions and Supply, with specific powers in respect of certain articles, commodities, goods, substances, services or things;

And whereas it is deemed to be in the national interest that the Wartime Prices and Trade Board Regulations should be extended to goods and services not within the jurisdiction of either of such Boards or of any said Controller, in order that, in co-operation with other governmental departments and agencies, there may be co-ordination of administrative action in respect of goods and services;

And whereas it is deemed desirable that public control of the prices of goods or services, when imposed, should be exercised by or with the concurrence of the Wartime Prices and Trade Board;

And whereas such co-operation and co-ordination will be facilitated by providing that each of said Boards be represented on the other Board;

And whereas, to effectuate such purposes, it is necessary to amend the Wartime Prices and Trade Board Regulations and, as such Regulations have been amended in some respects by Order in Council P.C. 6440 of the 19th day of August, 1941, it is deemed advisable to consolidate the Regulations as amended and, to that end, to rescind the said Regulations and to make and establish Regulations in substitution therefor;

Now, therefore, the Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under and by virtue of the powers conferred on the Governor in Council by the War Measures Act, Chapter 206, R.S.C., 1927, and otherwise, is pleased to order and doth hereby order as follows:—

1. The Wartime Prices and Trade Board Regulations, made by Order in Council P.C. 3998 of the 5th day of December, 1939, as amended by Order in Council P.C. 6440 of the 19th day of August, 1941, are hereby rescinded.

2. The Regulations hereinafter set forth are hereby made, established and substituted for the Regulations hereby rescinded.

3. Where, by any statute or Order in Council, the powers of the Wartime Prices and Trade Board in respect of necessities of life as defined in the Regulations hereby rescinded, have been conferred upon such Board in respect of any other subject-matter, or the provisions of the Regulations hereby rescinded have been extended to any other subject-matter, the powers so conferred and the provisions so extended shall be held and construed to be those contained in the Regulations hereby made and established.

4. The references in paragraphs one and two of Order in Council P.C. 6701 of the 26th day of August, 1941, to subsection (1) of Section 9 and to Section 10 of the Regulations hereby rescinded shall be held and construed to be references to subsection (1) of Section 9 and to Section 10 of the Regulations hereby made and established.

REGULATIONS RESPECTING GOODS AND SERVICES IN TIME OF WAR

Title

1. These regulations and any amendment or addition thereto may be cited as *The Wartime Prices and Trade Board Regulations*.

Interpretation

2. (1) For the purposes of these regulations, unless the context otherwise requires,

- (a) "Board" means the Wartime Prices and Trade Board;
- (b) "Controller" means a Controller who is a member of the Wartime Industries Control Board;
- (c) "goods" includes any articles, commodities, substances or things, including the products and materials from or of which any thereof are in whole or in part manufactured, produced, prepared or made;
- (d) "licence" means a licence issued by the Board under these regulations;
- (e) "markup" means the amount added to the cost price in figuring a selling price to cover overhead and profits;
- (f) "Member" means a member of the Board;
- (g) "Minister" means the Minister of Finance;

- (h) "order" means an order of the Board made pursuant to these regulations;
 - (i) "regulation" means any of these regulations and any amendment or addition thereto;
 - (j) "requirement" means any notification by the Board to any person, pursuant to these regulations, requiring performance by such person of any specified act or requiring such person to refrain from performing any specified act;
 - (k) "service" means any service designated from time to time by the Board.
- (2) Every offence that has been or is suspected to have been committed against any regulation, order or requirement shall, for the purposes of the Criminal Code, be deemed to be an offence that has been or is suspected to have been committed against the Criminal Code.
- (3) Unless and until action is taken by the Board under these regulations which conflicts with action taken by a properly constituted authority under or pursuant to a statute of the Dominion of Canada or of a province or regulation made thereunder, these regulations shall not be construed as being repugnant to or as superseding such Dominion or provincial statute or regulations: provided that, subject to the provisions of subsection (2) of Section 4 of these regulations, no such authority shall fix or approve the specific or the maximum or the minimum price or markup at which any goods or services may be sold, offered for sale or supplied, or fix or limit, or approve the fixing or limiting of, the quantities of goods or services that may be sold, supplied or distributed, except with the concurrence of the Board.

WARTIME PRICES AND TRADE BOARD

3. (1) There shall be a Board, to be called the Wartime Prices and Trade Board, consisting of
- (a) six members, being
 - (i) the Chairman and four members heretofore appointed by Order in Council and now in office, and
 - (ii) the Chairman of the Wartime Industries Control Board, and
 - (b) one temporary member, being that Controller, or, in his absence, any person nominated by the Chairman of the Wartime Industries Control Board to represent that Controller, upon whom powers have been conferred under and by virtue of any Order in Council over any goods or services in respect of which action by the Wartime Prices and Trade Board is being considered, to serve as member during such consideration.
- such members to hold office during pleasure.

(2) The Board may establish at any place or places in Canada such office or offices as are required for the discharge of the duties of the Board, and may provide therefor the necessary accommodation, stationery and equipment.

(3) The Board may, with the approval of the Governor in Council, appoint qualified persons to regulate, under the supervision of the Board, the supply and distribution of specified goods or services and every such person heretofore or hereafter appointed shall have the powers vested in the Boards by paragraphs (a), (b) and (c) of subsection (1) of Section 4 of these regulations, together with such other of its powers as the Board may, from time to time, vest in him.

(4) The Board may, subject to the approval of the Governor in Council, appoint such officers, clerks and other persons as may be deemed necessary to assist the Board in the performance of its duties, and every person appointed under this or the next preceding subsection shall receive such remuneration as the Board shall, with the approval of the Governor in Council, determine.

(5) The Board shall hold its sessions and conduct its business and proceedings in such manner as may seem to it most convenient for the speedy and efficient discharge of its duties and may make such rules as may seem expedient for the conduct of its proceedings not inconsistent with the provisions of these regulations.

POWERS AND DUTIES OF THE BOARD

4. (1) The Board shall have power

- (a) to investigate, of its own motion or on complaint, costs, prices, profits and stocks of goods and materials of any person engaged in the manufacture, importation, exportation, production, storage, transportation, supply or sale of any goods or services or any alleged or apparent offence against any regulation, and for the purpose of any such investigation the Board shall have all the powers of a commissioner appointed under the provisions of the Inquiries Act;
- (b) to inspect and examine any or all books, records and stocks of goods and materials in the possession or control of any person engaged as aforesaid, and to require any such person to produce such books and records at any place before it or before any person appointed by it to investigate, and to take possession of any or all of such books and records;
- (c) to require from time to time any person who manufactures, imports, exports, produces, stores, supplies or sells any goods or services to furnish in such form and within such time as the Board may prescribe written returns under oath or affirmation showing such information as the Board may consider necessary with respect to such goods or services;
- (d) to make public its findings or report in the case of any investigation or to withhold such publication if it considers the public interest would be better served by such withholding;
- (e) to refer to the Attorney-General of any province information respecting any alleged offence against any regulation, order or requirement;
- (f) to fix specific or maximum or minimum prices or specific or maximum or minimum markups at which any goods or services may be sold or offered for sale or supplied by manufacturers, importers, exporters, producers, jobbers, wholesalers, retailers, suppliers or other dealers; and to prohibit purchase, sale or supply at prices which are at variance with the prices so fixed; and any order made pursuant to this regulation shall apply throughout Canada unless otherwise provided therein;
- (g) to prescribe the terms and conditions under which any goods or services may be sold, offered for sale or supplied, whether on terms of deferred payment or otherwise;
- (h) to require manufacturers, importers, exporters, producers, jobbers, wholesalers or retailers of, or other dealers in or suppliers of any goods or services to obtain licences from the Board and to issue licences to such persons and to fix the fees payable on account of such licences; provided, however, that the issue to any person of a licence shall not be deemed to affect the liability of such person to obtain a licence as required by any other statute or law of Canada or any province thereof;
- (i) to suspend or cancel a licence in any case where in the opinion of the Board the licensee has failed to comply with any regulation, order or requirement;
- (j) to fix or limit the quantities of any goods or services that may be sold, supplied or distributed to persons within prescribed periods of time and to prohibit sale, supply, or distribution in excess of the quantities so fixed or limited;

- (k) to fix or limit the quantities of any goods or services that may be bought, supplied or sold by any person within prescribed periods of time and to prohibit purchase, supply or sale in excess of the quantities so fixed or limited;
- (l) to buy and sell any goods or services through agencies designated by the Board;
- (m) to take possession of any supplies of any goods, paying to the owners thereof such price as may, in default of agreement, be decided to be reasonable by the arbitration of a superior court judge of the province in which possession was taken;
- (n) to require any person to perform such act in respect of any goods or services as is deemed by the Board to be desirable, or to require any person to refrain from performing such act as is deemed by the Board to be undesirable, in order more effectually to enforce its orders or to exercise its powers respecting such goods or services.

(2) The powers vested in the Board by the next preceding subsection, with the exception of those contained in paragraph (f) thereof, shall not be exercised in respect of any articles, commodities, substances, goods, services or things over which or in respect of which a Controller is given authority, jurisdiction or power, except at the request or with the concurrence of the Chairman of the Wartime Industries Control Board.

5. Any three members of the Board shall constitute a quorum.

6. (1) The powers vested in the Board by paragraphs (a) and (b) of subsection (1) of Section 4 of these regulations may be exercised by any one member of the Board.

(2) The Board may appoint one or more persons to conduct investigations and every such person shall be vested with such of the powers aforesaid as the Board may confer on him.

7. It shall be the duty of the Board

- (a) to arrange, wherever possible through existing government agencies, for the assembling of required statistical data in relation to any part of any trade or industry regarding prices, costs, stocks of goods, volume of production, productive capacities, and related matters;
- (b) to refer to the Commissioner of the Combines Investigation Act any information relating to practices which may be violations of the Combines Investigation Act or of Section 498 of the Criminal Code, if, in the opinion of the Board, such practices impede the operation of these regulations;
- (c) to confer with manufacturers, wholesalers, retailers and suppliers as and when it is considered desirable by the Board with a view to enlisting their co-operation in ensuring reasonable prices, adequate supplies and equitable distribution of goods and services;
- (d) to recommend any additional measures it may deem necessary for the protection of the public with respect to goods or services and in any case where the Board is satisfied that any kind of goods or services is being sold, offered for sale or supplied at a price that is higher than is reasonable and just, or is being unreasonably withheld from sale or supply, or that the manufacture, production, transportation, sale, supply or distribution of such goods or services is being unduly prevented, limited or lessened, the Board may recommend that such goods or services be admitted into Canada free of duty or that the duty thereon be reduced to such amount or rate as will, in the opinion of the Board, give the public the benefit of reasonable competition; provided that no

such recommendation shall be made in respect of any articles, commodities, substances, goods, services or things over which or in respect of which a Controller is given authority, jurisdiction or power, except at the request or with the concurrence of the Chairman of the Wartime Industries Control Board.

8. All expenses lawfully incurred under these regulations, including travelling expenses of the members of the Board, shall be payable out of moneys provided by Parliament.

Offences

9. (1) No person shall sell or offer for sale or supply any goods or services at a price that is higher than is reasonable and just, or withhold any goods or services from sale or supply for a price that is higher than is reasonable and just and, in any case where a trader accused under this provision has not kept such books of account as are necessary to exhibit or explain his transactions, the onus shall be upon such accused person to establish that the price is reasonable and just: provided that if a specific or maximum price has been fixed or concurred in by the Board for the sale or supply of such goods or services, any price in excess of the price so fixed or concurred in shall be conclusively deemed to be higher than is reasonable and just; and provided further that if a specific or maximum markup has been fixed or concurred in by the Board for the sale or supply of such goods or services, any price which includes a markup in excess of the markup so fixed or concurred in shall be conclusively deemed to be higher than is reasonable and just.

(2) No person, without the consent of the Board, shall acquire, accumulate or withhold from sale or supply any goods or services beyond an amount thereof reasonably required for the use or consumption of his household or for the ordinary purposes of his business.

(3) No person, without the consent of the Board, shall unduly prevent, limit or lessen the manufacture, production, transportation, sale, supply or distribution of any goods or services.

(4) No person shall in any manner impede or prevent or attempt to impede or prevent any investigation or examination instituted by the Board.

(5) No manufacturer, importer, exporter, producer, wholesaler, jobber, retailer, supplier or other dealer shall sell, supply or offer for sale or supply, or ship, distribute or deal in any goods or services in respect of which a licence is required unless he has a licence from the Board which is in full force and effect.

Penalties

10. Any person who contravenes or fails to observe any regulation, order or requirement or makes any false statement in any return made pursuant to any order or requirement shall be guilty of an offence and liable, upon indictment or upon summary conviction under Part XV of the Criminal Code, to a penalty not exceeding five thousand dollars, or to imprisonment for any term not exceeding two years, or to both fine and imprisonment; and any director or officer of any company or corporation who assents to or acquiesces in any offence by such company or corporation against any regulation or order shall be guilty of such offence personally and cumulatively with the said company or corporation.

11. (1) No prosecution for a contravention or non-observance of any regulation, order or requirement shall be commenced without the written leave of the Board or of the Attorney-General of the province in which the offence is alleged to have been committed.

(2) A prosecution for any contravention or non-observance of any of these regulations or for any contravention or non-observance of any regulation, order or requirement of the Wartime Prices and Trade Board made pursuant to authority conferred by these regulations or by any other Order in Council or Act of Parliament may be commenced within twelve months from the date on which the offence is alleged to have been committed.

12. Every order made by the Board shall take effect from a date to be stated therein not earlier than the date of publication in the *Canada Gazette*.

13. These regulations and any order made thereunder shall not apply to any farmer or gardener in respect of any agricultural product produced upon any land cultivated by him.

14. The Board shall report to the Minister as and when required to do so by the Minister.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council establishing The Wartime Industries Control
Board Regulations**

Canada Gazette (Extra), 24th October, 1941

P.C. 6835

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 29th day of August, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, under and by virtue of The Department of Munitions and Supply Act, the Minister of Munitions and Supply has, among other duties, the duties of organizing the resources of Canada contributory to, and the sources of supply of, munitions of war and supplies and the agencies available for the supply of the same, and of mobilizing, conserving and co-ordinating the economic and industrial facilities available in respect of munitions of war and supplies for the effective prosecution of the present war;

And whereas, on the recommendation of the Minister of Munitions and Supply

- (a) Controllers of various articles, commodities, materials and things have been, and may hereafter be, from time to time, appointed; and
- (b) the Wartime Industries Control Board was by Order in Council P.C. 2715 of the 24th June, 1940, established to facilitate united and co-operative action by and between such Controllers;

And whereas, in view of the increasing complexity of the duties of the various Controllers and the problems which confront them, and in view also of the considerable degree to which the functions and duties of each of them are interdependent and correlated not only with those of other Controllers but with the functions and duties of the Wartime Prices and Trade Board and the Administrators appointed by that Board, it is deemed advisable

- (a) to take, through the agency of the Wartime Industries Control Board, further measures to promote co-ordination and integration of the functions and activities of such Controllers, and to charge special duties upon such Board; and
- (b) by creating a closer relationship between the Controllers, the Wartime Industries Control Board and the Wartime Prices and Trade Board, to promote co-operation between them and reduce the possibility of any confusion arising as a result of the exercise and discharge of their various powers, functions and duties;

Now therefore the Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under and by virtue of the powers conferred on the Governor in Council by the Department of Munitions and Supply Act and by the War Measures Act, Chapter 206, R.S.C. 1927, and otherwise, is pleased to order as follows:—

Sections numbered 1 to 5 both inclusive of Order in Council P.C. 2715 of 24th June, 1940, are hereby rescinded; and the following heading and sections are substituted in place thereof:

THE WARTIME INDUSTRIES CONTROL BOARD REGULATIONS

1. For the purposes of these Regulations except where the context otherwise requires,

- (a) "the Board" means the Wartime Industries Control Board established by this Order in Council;
- (b) "the Chairman" means any person appointed Chairman of the Board by the Governor General in Council and for the time being in office;
- (c) "Controller" means a Controller heretofore appointed and now in office or hereafter appointed by the Governor General in Council on the recommendation of the Minister;
- (d) "member of the Board" or "member" means any one of those persons who by virtue of section 2 hereof constitute the Wartime Industries Control Board;
- (e) "the Minister" means the Minister of Munitions and Supply;
- (f) "order" includes regulation, licence, permit, prohibition, requirement, direction, restriction, limitation, instruction and quota, made, given, issued or established by the Minister, or by any Controller or the Board;
- (g) "person" includes firm, corporation, company, partnership, association or any other body, and the heirs, executors administrators, receivers, liquidators, curators and other legal representatives of such person according to the laws of that part of Canada applicable to the circumstances of the case;
- (h) Words in the singular shall include the plural, and words in the plural shall include the singular, and the masculine, feminine or neuter gender respectively shall be deemed to denote either the neuter or the feminine or the masculine where the context so requires.

2. The Wartime Industries Control Board is hereby established and shall consist of the following:—

- (a) The Chairman; and
- (b) The Controllers; and

- (c) The Priorities Officer appointed under and by virtue of Order in Council P.C. 1169 of 20th February, 1941, and his duly appointed successors in office; and
- (d) The Chairman of the Wartime Prices and Trade Board and his duly appointed successors in office, or any other person whom the Chairman of the Wartime Prices and Trade Board may, from time to time, designate for such purpose; and
- (e) Any other person or persons hereafter appointed by the Minister as a member or members of the Board.

3. The Chairman shall recommend to the Minister persons for appointment as Vice-Chairman, Secretary and/or other officers of the Board, as may be required.

4. The Chairman, subject to the approval of the Minister, may, from time to time, delegate to the Vice-Chairman any or all of the powers, rights and duties vested in or charged on the Chairman, either in whole or in part, and, with the same approval, may, from time to time, revoke any such delegation; and the Vice-Chairman shall have, exercise and discharge any and all such powers, rights and duties so delegated to him, subject to any restriction which the Chairman may from time to time impose and subject in all cases to review by the Chairman.

5. The Board shall have its headquarters in Ottawa and shall meet at the call of the Chairman, in Ottawa or at any other place which he may, from time to time, select.

6. The Chairman and any two other members of the Board shall be a quorum for the transaction of the business of the Board.

7. It shall be the duty of the Board, and it shall have the power, exercisable from time to time;

- (a) To discuss all such problems as may be common to the members of the Board, or as may directly or indirectly arise from, or in connection with, the exercise of the powers or discharge of the duties of any one or more of them, or as may be brought forward for discussion by any such member, with a view to finding or suggesting a solution thereof.
- (b) To promote the co-ordination and integration of the functions and activities of the various members of the Board as between themselves and as between any one or more of them and any other Department or Departments, or agency or agencies of the Government with a view to
 - (i) eliminating the possibility of measures being taken, or orders made, by any such member of the Board that might conflict, or be at variance with any measure taken or order made by any other such member or any such Department or agency;
 - (ii) ensuring united, harmonious and co-operative action by all such members among themselves, and as between any one or more of them and any such other Departments and agencies of the Government, in the furtherance of the war program of Canada.
- (c) To discuss and analyse such other matters as may be laid before it by the Minister, the Chairman or any member, and, with the approval of the Chairman, to make recommendations thereon to the Minister.

- (d) To secure from any source information respecting existing or projected war needs involving the use of materials, power, manufacturing plants and facilities or transportation facilities, and, more particularly, to obtain from each of the fighting services and war purchasing agencies, as far in advance as possible, statements of their prospective needs in terms of values and of physical products, articles, commodities and things; and to co-ordinate and analyse the aforementioned information with a view to estimating the total requirements of the war program and to its evaluation in terms of materials, power, manufacturing plants and facilities and transportation facilities required.
- (e) To exercise such other powers and functions and discharge such other duties as may, from time to time, be conferred or charged upon it by the Governor General in Council or by the Minister.

8. (1) Notwithstanding the provisions of any other Order in Council, every Controller shall have power, exercisable from time to time subject to the approval of the Chairman, to fix specific or maximum or minimum prices and/or markups at or for which any articles, commodities, substances, goods, services or things over, or in respect to, which such Controller is given authority, jurisdiction or power, may be sold or offered for sale or supplied generally or in any place, area or zone; provided that such power to fix prices and/or markups and also any power vested in any such Controller to establish tables or schedules of fares or fix rates, fees or charges and require the adoption of the same, shall be exercised only with the concurrence of the Wartime Prices and Trade Board.

(2) Any and all prices, markups or tables or schedules of fares or rates, fees or charges fixed or established by a Controller as aforesaid shall have effect on the date of the Order fixing or establishing the same, or on such other date as such Controller may fix, and shall as soon as possible thereafter be published in the *Canada Gazette*.

(3) The portions, set out in Schedule "A" hereto, of the Orders in Council mentioned in the said Schedule "A" are hereby rescinded.

9. Where such power has not heretofore been conferred upon or vested in a Controller, such Controller shall, in addition to all other powers, have power to appoint, dissolve or discharge, and re-appoint from time to time, such committee or committees as he shall deem advisable, acting under such title or titles as he shall select, and to appoint to, and discharge from, any such committee, from time to time, any person or persons that he shall name; the duties of any such committee to be to confer with and advise the Controller with respect to any matters coming within his jurisdiction, and with respect to the exercise of any power vested in him; and also to present for discussion and guidance such relevant problems as may arise in connection with any of the matters referred to such committee by the Controller and to make recommendations to him with respect thereto.

10. Each Controller may exercise each and every power conferred upon or vested in him either generally with respect to the whole subject matter thereof, or partially or selectively with respect only to a portion or portions of the subject matter thereof, and, without restricting the generality of the foregoing, the provision or provisions granting such power shall be deemed and construed to mean that such power is given, and may be exercised, in respect of, and/or in relation to:

- (i) such person or thing in the plural or aggregate, or as, or in, a group or groups, as well as in the singular, as the Controller may specify; and

- (ii) any particular number or numbers of persons or number or numbers or part or parts of any thing or things, as well as all of such persons, thing or things, as the Controller may specify; and
- (iii) such person and/or thing either generally throughout Canada or in any particular province, place, area, zone or locality designated by the Controller; and
- (iv) such a person of any particular trade, industry, occupation, profession, group, class, organization, or society, and/or such a thing of any particular kind, type, grade, classification, quality or species, as the Controller may specify; and
- (v) an indefinite, undetermined or unspecified time or such period or periods of time as the Controller may specify.

11. Each Controller and the Board may enter upon and conduct any investigation or inquiry which, in the opinion of such Controller or of the Chairman as the case may be, is necessary to enable such Controller or the Board respectively to exercise his or its power or to carry out or discharge his or its duties, and for such purpose such Controller (or the Chairman in the case of an investigation or inquiry conducted by the Board) shall have and exercise all powers of a commissioner duly appointed under part I of the Inquiries Act, being Chapter 99 of the Revised Statutes of Canada 1927 and amending Acts, and may engage the services of any person as provided in section 11 of the said Act.

12. (1) Where any power is vested in, or any duty charged upon, any member of the Board such power and/or duty may, subject to the approval of the Chairman, be exercised and/or discharged by the Board, and in particular, and without restricting the generality of the foregoing, and subject to the same approval, the Board may make, give or issue any order by virtue thereof or with respect thereto that could be made, given or issued by such member; provided always that the making, giving or issuing of any such order, and/or the exercise of any such power, and/or the discharge of any such duty, shall also be and remain subject to any limitation, approval or concurrence thereof fixed or required by this Order in Council or any other Order in Council as amended hereby.

(2) No such order made, given or issued by the Board shall take effect or have any force or validity till signed by the Chairman.

13. Subject to the provisions of Section 8 of these Regulations, each and every order hereafter made, given, issued or established by any member of the Board, if required by the Chairman shall, prior to taking effect, be submitted for consideration by the Board; but

- (a) in any event, and notwithstanding the provisions of any Order in Council heretofore passed, no such order shall (unless the Minister otherwise directs), take effect or have any force or validity till approved by the Chairman in writing; and
- (b) subject as aforesaid, every such order shall also be and remain subject to any limitation or approval thereof fixed or required by the Order in Council conferring upon such member the power to make, give, issue or establish such order, as such Order in Council is amended hereby;

provided however that subparagraph (a) of this section 13 (unless the Minister otherwise directs) shall not apply to any such routine permits, licences or orders as the Chairman may, from time to time specify.

14. In any Court the affidavit of a Controller, a Deputy Controller, the Chairman, the Vice-Chairman of the Board or the Secretary of the Board that he has knowledge of the facts, and that an annexed document is a true copy of an order that has been made, given, issued or imposed by the Board and signed by the Chairman, or is a true copy of an order made, given, issued or imposed by a Controller and approved by the Chairman, shall be received as *prima facie* evidence that such order has been made, given, issued or imposed and signed or approved as aforesaid, and that such document is a true copy thereof.

15. Notwithstanding anything contained in any Order in Council, any person who contravenes or fails to observe any order, or who, in any manner, hinders or obstructs any Controller of the Board in the exercise of his or its powers or the discharge of his or its duties or makes any false statement in any return made pursuant to any order, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding twelve months, or to both fine and imprisonment but such person may, at the election of the Attorney General of Canada or of the province in which the offence is alleged to have taken place, be prosecuted upon indictment, and if convicted shall be liable to a fine not exceeding five thousand dollars, or to imprisonment for a term not exceeding five years, or to both fine and imprisonment; and where the person guilty of an offence against any order is a company or corporation, every person who at the time of the commission of the offence was a director or officer of the company or corporation shall be guilty of the like offence unless he proves that the act or omission constituting the offence took place without his knowledge or consent, or that he exercised all due diligence to prevent the commission of such offence.

(Sgd.) (H. W. LOTHROP,
Asst. Clerk of the Privy Council.

SCHEDULE "A"

Paragraph (f) of Section 2 of the Regulations Respecting Timber set forth in Order in Council P.C. 2716 of 24th June, 1940.

Paragraph (e) of Section 2 of the Regulations Respecting Steel set forth in Order in Council P.C. 2742 of 24th June, 1940.

Paragraph (d) of Section (2) of the Regulations Respecting Oil set forth in Order in Council P.C. 1195 of 19th February, 1941.

Paragraph (f) of Section (2) of the Regulations Respecting Metals set forth in Order in Council P.C. 3187 of 15th July, 1940.

Paragraph (e) of Section (2) of the Regulations Respecting Machinery and Machine Tools as set forth in Order in Council P.C. 4101 of 22nd August, 1940.

Paragraph (e) of Section 2 of the Regulations Respecting Motor Vehicles, set forth in Order in Council P.C. 1121 of 13th February, 1941.

Paragraph (d) of subsection (1) of Section 2 of the Regulations Respecting Chemicals set forth in Order in Council P.C. 4996 of 10th July, 1941.

Paragraph (d) of subsection (1) of Section 2 of the Regulations Respecting Supplies set forth in Order in Council P.C. 6391 of 19th August, 1941.

The words "at what price" in the first line of paragraph (e) of Section (2) of the Regulations Respecting Power set forth in Order in Council P.C. 4129 of 23rd August, 1940.

Order in Council constituting Committee on Reconstruction

P.C. 6874

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by The Deputy of His Excellency the Governor General on the 2nd September, 1941.

The Committee of the Privy Council have had before them a report, dated 29th August, 1941, from the Minister of Pensions and National Health, representing:—

That under the provisions of Order in Council P.C. 4068 $\frac{1}{2}$, dated the 8th of December, 1939, there was constituted a special Committee of the Cabinet to procure information respecting and give full consideration to and report regarding the problems which will arise from the demobilization and the discharge from time to time of members of the forces during and after the conclusion of the present war, and the rehabilitation of such members into civil life;

That under the provisions of Order in Council P.C. 1218, dated the 17th of February, 1941, the special Cabinet Committee, referred to above, reported that the problem of the rehabilitation of ex-service men is a part of the general question of post-war reconstruction, and the following paragraph was therefore added to Order in Council P.C. 4068 $\frac{1}{2}$, dated the 8th of December, 1939:

“(h) having regard to sections (d) and (e) herein, to examine and discuss the general question of post-war reconstruction, and to make recommendation as to what Government facilities should be established to deal with this question.”

That the Cabinet Committee having given careful consideration to the additional term of reference outlined in Order in Council P.C. 1218, dated the 17th of February, 1941, find that investigation of the matter of post-war reconstruction will involve expert and detailed attention, and the securing and collation of information from many Government Departments and from organizations devoted to economic and social research, and that it is desirable that the Cabinet Committee secure the assistance in this work of certain persons qualified by their specialized knowledge and experience to advise the Cabinet Committee with regard to the general question of post-war reconstruction.

The Committee, therefore, on the recommendation of the Minister of Pensions and National Health, advise, under and by virtue of the War Measures Act (Chapter 206, Revised Statutes of Canada 1927), and notwithstanding anything contained in any other Act or regulation,—

1. That there be hereby constituted a special committee to be known as the Committee on Reconstruction, consisting of not less than five members and not more than six members who shall serve as members of such Committee without remuneration;

2. That the said Committee on Reconstruction will, through its Chairman, furnish reports to the Chairman of the Cabinet Committee on any matters referred to it by the Cabinet Committee but such reports will be for the guidance of the Cabinet Committee in their consideration of the matters concerned, and used solely by the Cabinet Committee in determining the policy or policies to be adopted;

3. That the duties of this special Committee shall be to take into consideration the additional term of reference cited in Order in Council

P.C. 1218, dated the 17th of February, 1941, referred to above, and from time to time to submit to the special Committee of the Cabinet such reports and recommendations respecting information received and consideration given to keep the special Committee of the Cabinet informed in respect thereto, and the said Committee on Reconstruction shall collect, receive, and arrange information with regard to reconstruction policies and activities in Canada and abroad;

4. That the Chairman and Vice-Chairman of the Interdepartmental Committee on Demobilization and Rehabilitation, appointed under Order in Council P.C. 5421, dated the 8th of October, 1940, and that the Chairman of the Canadian Committee of the Joint Economic Committees appointed under P.C. 4500 dated the 20th of June, 1941, and the Chairman of any other Committee which may be appointed by the Government to consider any question of post-war economic reconstruction shall attend meetings of the Committee on Reconstruction, and offer the fullest co-operation to the Committee on Reconstruction, but shall not be considered to be members thereof;

5. That the Committee on Reconstruction shall be empowered to appoint such Sub-Committees and to consult such recognized experts as it may deem advisable, and shall be further empowered to invite to appear before the Sub-Committees persons specially qualified to deal with any matter coming within the terms of reference; all such persons called in consultation to be entitled to receive the actual and necessary out-of-pocket expenses incurred by them while they are absent from their places of residence for the purpose of such consultation;

6. That all Departments or agencies of the Government and all officers and employees thereof shall afford to the Committee on Reconstruction all available information in regard to any of the matters falling within the scope and power of the Committee on Reconstruction and shall co-operate with the Committee on Reconstruction in the performance of such duties and the exercise of such powers whenever required by the Committee on Reconstruction to do so, and shall make available to the Committee on Reconstruction all such relevant records, documents and papers as existing regulations permit;

7. That the said Committee on Reconstruction shall assemble and arrange the necessary books, documents, pamphlets, and such printed and other material as may be needed for the Committee on Reconstruction in connection with their work;

8. That the members of the said Committee on Reconstruction shall, subject to the consent of the Governor in Council, be authorized to make such visits as may be necessary to secure information which will be of service to the Committee on Reconstruction and they shall be entitled to receive such travelling expenses as may be incurred in connection with such visits or in respect of attendance at meetings of the said Committee on Reconstruction.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

**Order in Council adding silks, yarns, etc., to list of commodities
under export control**

Canada Gazette (Extra), 3rd September, 1941

P.C. 6932

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 2nd day of September, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY
THE GOVERNOR GENERAL IN COUNCIL:

Whereas it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, in addition to those enumerated and described in Schedule One of Order in Council P.C. 4366 of June 17, 1941, deemed capable of being converted into or made useful in military, naval and air stores, in order to carry out more effectively the Regulations respecting Trading with the Enemy, 1939, and to conserve supplies of commodities required for Canadian and United Kingdom requirements;

Now, therefore, the Deputy of His Excellency the Governor General in Council, on the recommendation of the Right Honourable Ernest Lapointe, Acting Prime Minister for the Minister of Trade and Commerce, and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206, R.S.C. 1927), is pleased to order that, effective, on and after the third day of September, 1941, the undermentioned commodities be added to Groups Three and Eight of Schedule One of Order in Council P.C. 4366 of June 17, 1941:—

GROUP 3—FIBRES, TEXTILES AND TEXTILE PRODUCTS

Silk, semi-manufactures and manufactures wholly or in chief part by value of silk.

Rayon yarn.

Cotton yarn, either single or plied, wherein the count of the singles yarn exceeds 60's count.

GROUP 8—CHEMICALS AND ALLIED PRODUCTS

Calcium Carbide.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

Order in Council establishing regulations controlling the use of herring

P.C. 6950

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 2nd day of September, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Fisheries reports that arrangements are in course of completion whereby 35,000 long tons of the Canadian production of canned herring of the 1941-42 fishing season will be made available to and be purchased by the British Government through the Canadian Government;

That the amount of canned herring contemplated under such arrangements is more than double the entire production of canned herring in Canada in any previous season and in order to safeguard the requirements of the British Government, it is essential that authority be available for securing necessary information relating to the herring catch and the production therefrom, and for controlling the use of herring for manufacture or conversion into oil, meal or fertilizer, as well as for control of shipments of the canned herring pack;

Therefore the Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries and under and by virtue of the power conferred upon the Governor in Council by the War Measures Act, chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make the following regulations and they are hereby made and established accordingly:—

REGULATIONS

1. All companies engaged in the production of canned herring or in the manufacture or conversion of herring into oil, meal or fertilizer in British Columbia, shall be required to register forthwith with the Minister of Fisheries, and shall report their production of canned herring or herring products, the quantities and source, of herring used in the preparation thereof, and, in the case of canned herring producers, details of each sale, transfer or disposal of herring waste, including offal and fish unsuitable for canning, derived from herring canning operations, in such manner and at such times as the Minister of Fisheries may from time to time indicate.

2. Until the herring catch limits for the Lower East Coast sub-district and the Quathiaski sub-district, prescribed by the Special Fishery Regulations for British Columbia, under the authority of the Fisheries Act, Chapter 42, 22-23 George V, have been reached, the use of herring for manufacture or conversion into oil, meal or fertilizer, is prohibited excepting,—

(a) That the herring so manufactured or processed is the waste, including offal and fish unsuitable for canning, derived from herring canning operations, or

(b) That if in the opinion of the Minister of Fisheries the production of the quantity of canned herring required for the British Ministry of Food will not be jeopardized thereby, he may permit herring

caught in areas other than the aforementioned Lower East Coast sub-district and the Quathiaski sub-district to be so manufactured or processed.

3. No person shall deliver herring to a reduction plant, directly or indirectly, for the purpose of manufacture or conversion into oil, meal or fertilizer, excepting,—

(a) Herring, waste, including offal and fish unsuitable for canning, derived from herring canning operations, or

(b) Herring that is permitted to be used for manufacture or conversion into oil, meal or fertilizer, under section 2 hereof;

and any person contravening this regulation shall be liable upon summary conviction to a fine not exceeding \$500 and any vessel operated or used in such contravention shall be liable to forfeiture to His Majesty.

4. Except by written permission issued by authority of the Minister, all canned herring produced in British Columbia during the season of 1941-42 shall be packed in tomato sauce.

5. Registered canned herring producers shall produce not less than 20 cases of canned herring, each containing 48 so-called one pound tins, or its equivalent, from each ton (2,000 pounds) of herring landed or delivered at their canning establishments, except by special permission from the Minister of Fisheries through the Chief Supervisor of Fisheries at Vancouver.

6. Each registered canned herring producer shall issue a declaration, on forms provided for the purpose by the Minister of Fisheries, concurrently with each sale or transfer of canned herring produced by him, setting out the details of each such sale or transfer, and shall furnish a copy of each such declaration at time of issue to the Chief Supervisor of Fisheries, Vancouver.

7. All shipments or transfers of parcels of canned herring from British Columbia to any other place within Canada shall be accompanied by a certificate issued by authority of the Minister of Fisheries. Such certificate shall show the number of packages of canned herring contained and the names and addresses of the consignor and consignee. In the case of shipments made by a common carrier, such certificate shall be attached to the waybill. In the case of shipment by other means of transportation certificate shall accompany the shipment to its destination. Shipments or transfers of parcels of canned herring from British Columbia to any other place within Canada not so accompanied by such certificate shall be liable to seizure and confiscation at the absolute discretion of the Minister of Fisheries. Provided, shipments or transfers of parcels of canned herring consigned to and marked for the British Ministry of Food, and casual shipments or transfers not exceeding 48 pounds each, shall be exempt from the requirements of this paragraph.

8. Each registered canned herring producer shall make available for the purpose of supply to the British Ministry of Food such quantity or quantities of his production of canned herring of the season of 1941-42 as may be designated from time to time by the Minister of Fisheries; and, on the basis of the tomato puree or tomato paste required for packing being supplied free of charge at Vancouver or Prince Rupert by the British Ministry of Food, the following prices in Canadian funds per case net, f.o.b. Vancouver or Prince Rupert, labelled, and otherwise in accordance with terms and conditions to be communicated to each registered canned herring producer by the Minister of Fisheries, shall be paid therefor:

1 lb. oval cans—48 cans to the case \$3.75.

$\frac{1}{2}$ lb. oval cans—48 cans to the case \$3.10.

1 lb. tall cans—48 cans to the case \$3.30.

9. For the purpose of these regulations, herring shall mean and include Pacific herring.

10. Except as herein otherwise provided, every company or person who fails to make any return required by these regulations, or knowingly makes any untrue statement in any such return, or commits any act or deed in contravention of these regulations, shall be liable upon summary conviction, to a fine not exceeding \$500, and any herring products dealt with contrary to these regulations may be seized and detained and shall be liable to forfeiture to His Majesty, and production operations at any establishment operated or used in such contravention may be suspended pending investigation.

(Sgd.) H. W. LOTHROP,

Asst. Clerk of the Privy Council.

Order in Council adding live hogs and other pork products to the list of commodities under export control

Canada Gazette (Extra), 3rd September, 1941

P.C. 6951

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 2nd day of September, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 5532 of July 22, 1941, the export from Canada of live hogs and, except to the United Kingdom and British possessions, the export of dressed hogs and other edible pork products excepting lard, is prohibited;

And whereas the Minister of Agriculture has recommended that Order in Council P.C. 5532 be rescinded, provided, however, that live hogs, dressed hogs and other edible pork products be added to Group Two of Schedule One of Order in Council P.C. 4366 of June 17, 1941;

Now therefore The Deputy of His Excellency the Governor General in Council, on the recommendation of the Right Honourable Ernest Lapointe, Acting Prime Minister, for the Minister of Trade and Commerce, and under and by virtue of the power conferred by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206 R.S.C. 1927), is pleased to order as follows:

1. Order in Council P.C. 5532 of July 22, 1941, is hereby rescinded.

2. The following commodities are hereby added to Group Two of Schedule One of Order in Council P.C. 4366 of June 17, 1941:

Live Hogs

Dressed Hogs and other edible pork products

3. This order shall come into force and have effect on and after the third day of September, one thousand nine hundred and forty-one.

(Sgd.) H. W. LOTHROP,

Asst. Clerk of the Privy Council.

Order in Council approving recommendations of Canadian Claims
Commission (overseas)

P.C. 50/6954

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the 6th
September, 1941.*

The Board had under consideration a memorandum from the Honourable the Minister of National Defence reporting:

"That in respect of traffic accidents occurring in the United Kingdom and which may occur abroad, involving United Kingdom and Canadian Army vehicles, the Senior Officer, Canadian Military Headquarters in Great Britain, has reported that the War Office has suggested that claims arising out of any such accidents be dealt with as follows:

- (1) Damage to vehicles, stores or other property, whether British or Canadian, on 'knock for knock' basis (on a basis of mutual forbearance).
- (2) Where injuries to Service personnel arise out of such accidents, each Government to bear its own expenses and non-effective charges.
- (3) Claims by third parties arising out of such accidents to be settled and paid for in equal shares by British and Canadian Governments.

That Canadian Military Headquarters in Great Britain concurred in the above suggestions with one proviso which has been recommended by the Canadian Claims Commission (Overseas) established by Order in Council P.C. 29/2544 of 11th April, 1941, namely, that all cases of claims by third parties shall be subject to approval by the said Commission with regard to the amount of Settlement.

That in the draft of the Regulations which, in their final form was approved by said Order in Council dated 11th April, 1941, P.C. 29/2544, provision was made whereby the Canadian Claims Commission (Overseas) could deal with claims which may be made by the Crown against the Government of the United Kingdom or any other State in Europe; but the Under Secretary of State for External Affairs advised that it would not be appropriate for the Commission to deal with claims by the Canadian Government against other Governments. Accordingly, no provision was made in the said Regulations, as approved by Your Excellency in Council, for dealing with claims arising out of traffic accidents involving United Kingdom and Canadian Army vehicles in the manner suggested by the War Office.

That the suggestion made by the War Office, as aforesaid, has been referred to the Under Secretary of State for External Affairs who advises that the Department of External Affairs sees no objection to an arrangement being made on the basis outlined above. The Under Secretary thinks that it should take the form of an exchange of letters between the Canadian High Commissioner in London and the Secretary of State for Dominion Affairs; the details might then be worked out between the respective Military Authorities.

The Acting Deputy Minister (Army) has recommended that the suggestions put forward by the War Office, as aforesaid, with the proviso in respect of claims by third parties, as recommended by the Canadian Claims

Commission (Overseas), be approved, and that the necessary arrangements be made between the respective Governments in the manner suggested, as aforesaid, by the Under Secretary of State for External Affairs.

The undersigned concurs in this recommendation and has the honour to recommend that Your Excellency in Council, under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Statute or Law, be pleased to approve the same and that the Order in Council dated 11th April, 1941, P.C. 29/2544 be construed accordingly."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

Order in Council re deductions from pay and allowances of personnel of

Royal Air Force Special Schools in Canada

P.C. 68/6954

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 6th September, 1941.

The Board had under consideration the following memorandum from the Honourable the Minister of National Defence for Air:—

"1. The undersigned has the honour to refer to Order in Council P.C. 2302 approved by Your Excellency in Council on 30th May, 1940, which provided, *inter alia*, that a deduction of five percentum should be made from the pay and allowances of Royal Air Force officers and warrant officers on loan to the Royal Canadian Air Force, and that such deduction should be placed in a special suspense account pending determination of the liability of each class of this personnel to the deduction.

2. The United Kingdom Government applied a similar procedure in regard to the Royal Air Force personnel of Royal Air Force Special Schools in Canada.

3. The Air Ministry has now ruled that the five percentum deduction from personnel of the Royal Air Force Special Schools is to be restricted to the following:

- (1) All permanent officers of less than thirty-five years service.
- (2) All short service or medium service officers up to the date on which they would have been placed on the Reserve, but for the existing national emergency.
- (3) All warrant officers of pensionable engagements.

Deductions made from short or medium service officers who die before the expiration of the active list portion of their engagement are to be refunded to their estate.

4. In accordance with this decision, the deduction is not chargeable to the undermentioned classes of personnel of the Special Schools, and authority has been given to refund deductions already made.

- (1) Permanent officers with thirty-five or more years service.
- (2) Re-employed retired officers.
- (3) Officers retained in the Service after the date on which they were due to be placed on the Retired List, and short or medium service officers after the date on which they were due to be placed on the Reserve.
- (4) Non-regular officers of the Reserve of Air Force Officers, the Auxiliary Air Force, and the Royal Air Force Volunteer Reserve.

5. The Chief of the Air Staff recommends that a like ruling be applied to the Royal Air Force personnel on loan to the Royal Canadian Air Force, as it is only in respect of the personnel not exempted from deduction under the Air Ministry ruling, that the Canadian Government is called upon to make a payment to the Air Ministry on account of accumulating service pensions and gratuities of the personnel.

6. The Deputy Minister (Air Service) concurs in the recommendation.

7. The undersigned also concurs, and has the honour to recommend accordingly."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

Order in Council amending The Merchant Seamen Order, 1941

P.C. 81/6954

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 6th September, 1941.

The Board had under consideration a memorandum from the Honourable the Acting Minister of National Defence for Naval Services reporting:—

"That by Order in Council P.C. 2385, April 4th, 1941, The Merchant Seamen Order, 1941, was made and established to prevent delays in the departure of merchant ships from Canadian ports.

That Paragraph 17 reads as follows,—

'A Board may, after inquiry, order in writing that a seaman be—
(a) released;
(b) released to his ship;
(c) released to a manning pool; or
(d) detained in an Immigration Station, gaol or other place of confinement for a period not exceeding three months'.

That Paragraph 18 reads as follows,—

'A Board shall, in any case where the detention of a seaman has been ordered under the last preceding paragraph, cause the seaman to be brought before it on or before the expiration of the period of such detention and review his case, and the Board, after such review, may order that the seaman be—

- (a) released;
- (b) released to his ship;
- (c) released to a manning pool; or
- (d) detained in an Immigration Station, gaol, or other place of confinement for a further period not exceeding six months'.

That the restriction of the powers of Boards of Inquiry in the matter of releasing a seaman to his ship, i.e., the ship from which he was removed or the ship in which he was serving, has been found to defeat the object which, through the exercise of its powers, it is intended the Board of Inquiry should accomplish. It has happened on occasion that when a seaman is released from detention the ship from which he was removed, or from which he absented himself, has long since left the port at or near which the seaman was confined, and may not return to Canada for a long time, if at all.

That experience has shown that it is expedient to remove the aforementioned restriction.

To that end the undersigned has the honour to recommend:

That Your Excellency, under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Act or law, be pleased to amend The Merchant Seamen Order, 1941, as made and established by Order in Council dated the 4th April, 1941, P.C. 2385, as follows:

In paragraphs 17 and 18 delete Clause (b), and substitute for Clause (b) in each of the said paragraphs the following:

'(b) released to a ship.'

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

**Order in Council amending agreement re apples grown in the
Okanagan Valley**

P.C. 6989

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 5th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council dated the 7th day of September, 1940 (P.C. 4493) under the authority of the War Measures Act, an agreement with respect to the marketing of apples grown in the Okanagan Valley of the Province of British Columbia during the year 1940 was approved;

And whereas the schedule to the said agreement specified f.o.b. warehouse prices "for sizes from 138 to 216 apples per box" for named varieties and grades;

And whereas the Minister of Agriculture reports that during the marketing season the sizes in best demand in Canada became exhausted in some varieties and grades but for the storage holdings of "agreement" apples, necessitating some interchange of sizes.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture, is pleased to amend the aforesaid schedule to the said agreement and it is hereby amended by substituting "for sizes 216 and larger" for "for sizes from 138 to 216".

(Sgd.) H. W. LOTHROP,
Asst. Clerk of the Privy Council.

**Order in Council amending regulations Industrial Disputes
Inquiry Commissions**

P.C. 7068

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 10th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports that it is desirable to clarify the meaning of Order in Council dated 6th June, 1941 (P.C. 4020), relating to Industrial Disputes Inquiry Commissions, as amended by Order in Council dated 2nd July, 1941 (P.C. 4844);

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, is pleased to amend the said Order in Council P.C. 4020, as amended by Order in Council P.C. 4844 of 2nd July, 1941, and it is hereby further amended as follows:—

1. By striking out the phrase "has been coerced or intimidated" in Section 5 thereof and substituting therefor the following:

"has been improperly coerced or has been intimidated"

2. By striking out the words "or on the premises of the employer" in Section 6 thereof and substituting the following:

"at the place of their employment".

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prohibiting registration of the letter "V" as a trade mark

P.C. 7071

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 10th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Secretary of State reports:

- (1) That within the last two or three months the letter "V", being the twenty-second letter of the alphabet, and the Morse code signal of the letter "V" consisting of . . . — have been generally known and adopted as a symbol of victory in the war in which Canada, the other nations of the British Commonwealth, the British Empire and their Allies are engaged;
- (2) That, in his opinion, the use of the letter "V" and the Morse code signal . . . — as a symbol of Victory should be encouraged and that their use should not be restricted in any manner for the purposes of private gain;
- (3) That it is contrary to public policy that the letter "V" and the Morse code signal . . . — or either of them should be registered as a trade mark in the name of any person or persons for the purposes of private gain;
- (4) That under the Unfair Competition Act 1932, being Chapter 38 of the Statutes of Canada 22-23 George V, it does not appear that discretionary power is lodged in the Minister or in the Registrar of Trade Marks to refuse registration of a trade mark or trade marks except in accordance with Sections 14, 26 and 27 of the said Unfair Competition Act 1932;
- (5) That it is proper and expedient that the Secretary of State should be vested with discretionary power to refuse registrations of trade marks under the Unfair Competition Act 1932 to restrict, for purposes of private gain, the use of the letter "V" and the Morse code signal . . . — and any other symbols, words or terms which may be generally adopted in like manner during the duration of the present war.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Secretary of State and under and by virtue of the powers conferred on the Governor in Council by the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to order and doth hereby order that notwithstanding the provisions of the Unfair Competition Act 1932 and any other statute the Minister may refuse to register any trade mark if he is not satisfied that the applicant is undoubtedly entitled to the exclusive use of such trade mark or if he considers that the registration of the trade mark would be contrary to public policy.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council transferring ministerial powers relating to the Wartime
Prices and Trade Board from the Minister of Labour to
the Minister of Finance**

P.C. 7082

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 10th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the duties and functions of the Minister of Labour in respect of the Wartime Prices and Trade Board have been transferred to the Minister of Finance;

And whereas by Order in Council P.C. 19/6016 of the 6th day of August, 1941, the powers, duties and functions of the Dominion Fuel Board were transferred to the Coal Administrator under the direction of the Wartime Prices and Trade Board and the administration of the Domestic Fuel Act and of the "Act to place Canadian coal used in the manufacture of Iron and Steel on a basis of equality with Imported Coal" and of the several Orders in Council authorizing assistance to the movement of coal together with the appropriations granted under Votes 173 and 174 of the Main Estimates of 1941-42 was transferred from the Minister of Mines and Resources to the Minister of Labour, and it is deemed expedient that such Order in Council P.C. 19/6016 be amended by deleting the words "Minister of Labour" and substituting the words "Minister of Finance" therefor and that similar substitutions be effected in respect of the several Orders in Council conferring powers upon Administrators under the direction of the Wartime Prices and Trade Board;

Now therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Finance, concurred in by the Minister of Labour and pursuant to powers conferred on the Governor in Council by the War Measures Act, the Public Services Re-Arrangement and Transfer of Duties Act and otherwise, is pleased to amend and doth hereby amend paragraphs numbers 3 and 4 of Order in Council P.C. 19/6016 of the 6th day of August, 1941, by deleting the words "Minister of Labour" and substituting therefor the words "Minister of Finance".

His Excellency in Council, on the same recommendation and under the above cited authority, is further pleased to order and doth hereby order,—

1. That wherever in any Order in Council relating to the powers, duties or functions of the Wartime Prices and Trade Board or of any Administrator appointed by such Board, any ministerial powers, duties and functions are conferred upon the Minister of Labour, such ministerial powers, duties and functions shall be and they are hereby transferred to the Minister of Finance.

2. That the provisions hereof shall be effective for the duration of the war and until further ordered.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing payment of processing charges
Nova Scotia apples

P.C. 7115

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 10th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under the authority of the War Measures Act, an agreement between the Minister of Agriculture and the Nova Scotia Apple Marketing Board with respect to the marketing and processing of apples was approved by Order in Council dated the 20th day of February, 1941 (P.C. 1280);

And whereas this agreement requires that certain processing charges shall be authorized by the Governor General in Council;

And whereas the Minister of Agriculture reports that the initial processing cost will be the delivery to processing plants, to be arranged by the Nova Scotia Apple Marketing Board, of apples for which the purchase price is f.o.b. warehouse;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture, concurred in by the Minister of Finance, and under authority of the War Measures Act, is pleased to approve and doth hereby approve and authorize payment of processing charges as follows out of the amount of \$2,000,000 appropriated under Order in Council P.C. 1280:—

Delivery by the Nova Scotia Apple Marketing Board of apples from warehouses to processing plants, as directed by the Minister, proven cost not exceeding, average per barrel 9½ cents.

Dried apples, 22 per cent moisture, resulphured, grading Choice Quality, packed in wooden cases of 50 pounds, per pound net, 5½ cents.

NOTE.—A condition of the arrangement to be made by the Nova Scotia Apple Marketing Board with the processors shall be that only dried apple grading Choice Quality shall be delivered to the Minister, and that the processor shall retain for his own purposes and debit his processing account with all output grading below Choice Quality on the basis respectively, of 60 cents for each 13·7 pounds of Standard Quality or Sub-Standard Quality and 40 cents for each 13·7 pounds of Chips.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing regulations—the Nova Scotia Apple Marketing Board Limited

Canada Gazette, 27th September, 1941

P.C. 7126

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 10th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under the authority of the War Measures Act, certain powers and authority were extended to the Nova Scotia Apple Marketing Board Limited with respect to the marketing of apples grown in the Annapolis Valley in the Province of Nova Scotia in the years 1939 and 1940;

And whereas by Order in Council dated the 20th day of February, 1941, P.C. 1280, the agreement between His Majesty and the said Board with respect to the marketing of apples grown in the year 1941, was approved;

And whereas the Minister of Agriculture reports that the powers and authority vested in the Board under the attached regulations which are similar to those approved in previous years are essential to enable the Board properly to perform its obligations and otherwise to comply with the provisions of the said agreement.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture, and under the authority of the War Measures Act, is pleased to make the regulations hereto attached and they are hereby made and established accordingly.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**REGULATIONS UNDER WAR MEASURES ACT WITH RESPECT
TO THE NOVA SCOTIA APPLE MARKETING BOARD LIMITED**

DEFINITIONS

1. In these regulations, unless the context otherwise requires,—
 - (a) "Apples" means apples grown in the Annapolis Valley in the year 1941;
 - (b) "Board" means the Nova Scotia Apple Marketing Board Limited;
 - (c) "Annapolis Valley" means the counties of Queens, Lunenburg, Annapolis, Kings and Hants, in the Province of Nova Scotia.

POWERS OF THE BOARD

2. (i) The Board shall have the exclusive right to sell, ship or transport apples for delivery outside of the Annapolis Valley or to designate the agency by or through which apples may be so sold, shipped or transported, and to determine the charges that may be deducted by any such agency.

- (ii) The Board shall be exclusively entitled to receive payment of the sale price of all apples sold, shipped or transported for delivery outside the Annapolis Valley after the coming into force of these regulations and the Board is duly authorized on receiving payment to give release of all claims made or to be made in respect of the sale price of apples so sold, shipped or transported.
- (iii) The Board shall be entitled to recover any moneys hereafter paid to any person other than the Board on account of the sale price of apples sold, shipped or transported for delivery outside the Annapolis Valley.

POOLING OF RECEIPTS

- 3. (i) The Board shall have authority to conduct a pool for the distribution of all moneys paid by the Minister together with all moneys received from sales of apples and after deducting all necessary and proper disbursements and expenses and such compensation as may be determined by the Board for apples excluded from marketing, to make payment to the growers or the growers' agents in accordance with a scheme of distribution determined by the Board which shall be on the basis of like returns for apples of the same variety, grade, size, marketability and packing costs;
- (ii) No shipper shall be entitled to receive or claim from the Board any sum of money for apples other than on the basis of the scheme of distribution of pool moneys as determined by the Board.

PROCESSING AND EXPORT OF APPLES

- 4. (i) No person other than the Board shall sell, ship or export apples for delivery out of the Annapolis Valley.
- (ii) All apples of a kind grown in the Annapolis Valley and found in or exported from the Annapolis Valley shall be deemed to have been grown in the Annapolis Valley unless otherwise proven.
- (iii) No person shall use any apples, including culls, grown in the Annapolis Valley for processing except such as may be sold to him by the Board for that purpose.

INSPECTION CERTIFICATES

- 5. Notwithstanding anything contained in the Fruit, Vegetables and Honey Act or any regulations made thereunder, no inspection certificate shall be issued under the Fruit, Vegetables and Honey Act to any person other than the Board or a nominee of the Board.

- 6. Every person shall be guilty of an offence and liable on summary conviction to a fine of not less than Fifty Dollars and not more than One Hundred Dollars for a first offence, and to a fine of not less than One Hundred Dollars and not more than Two Hundred Dollars for a second or subsequent offence, and in default of payment of the fine to imprisonment for a term not exceeding one month unless the fine is sooner paid, who contravenes any provision of these regulations.

- 7. These regulations shall come into force on the date of publication in the *Canada Gazette*.

**Order in Council authorizing compensation Air Raid Precautions
Personnel in event of injury or death**

P.C. 7147

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 10th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Pensions and National Health reports that owing to the manner of waging modern warfare, with increasing danger to the civilian population from aerial attack and counter-action, bombardment and other offensive and defensive means, it has been found necessary to organize Air Raid Precautions Personnel at vulnerable points in Canada with a view to safeguarding life and property in the event of an enemy attack;

That Air Raid Precautions Personnel located at points which are exposed to definite risk of Air Attack, as detailed hereunder, are, due to the nature of their duties, peculiarly subject to hazards as the result of enemy attacks or counter-action taken against the same:

Montreal	Prince Rupert
Toronto Area	Sydney
Ottawa-Hull	Halifax
Esquimalt-Victoria	Saint John
Vancouver	Quebec
New Westminster	

That no provision has been made for medical services or payment of compensation to or in respect of such Air Raid Precautions Personnel who may suffer disability in the performance of their duties during a blackout period or as the result of enemy action or counter-action taken against the same, nor to the dependents of such Personnel who suffer death as the result of the performance of such duties; nor has provision been made for such medical services nor for disability or death suffered by volunteer Air Raid Precautions Personnel duly registered for fire prevention or demolition duties during periods of training duly authorized by responsible authority.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health, and under and by virtue of the powers conferred on the Governor General in Council by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, and notwithstanding anything to the contrary contained in the Pension Act or any other Act or regulation, is pleased to order and doth hereby order as follows:—

ORDER

DEFINITIONS

1. (1) In this order and in any regulation made under the provisions of this order, unless the context otherwise requires,

(a) "air raid precautions worker" means a person registered by a duly approved body organized for air raid precautions purposes in Canada as a volunteer worker;

- (b) "designated area" shall include Montreal, Toronto Area, Ottawa-Hull, Esquimalt-Victoria, Vancouver, New Westminster, Prince Rupert, Sydney, Halifax, Saint John, Quebec and any other points which may be designated from time to time by the Treasury Board;
- (c) "dependent child" shall not include any child who, if a boy, has attained the age of sixteen or, if a girl, has attained the age of seventeen years;
- (d) "disability" means the loss or lessening of the power to will or to do any normal physical or mental act;
- (e) "duly approved body organized for air raid precautions purposes" means a body organized for such purposes, the organization of which has been approved under Regulation 33 of the Defence of Canada Regulations;
- (f) "Schedule A", "Schedule B" and "Schedule C" mean the Schedules A, B and C, respectively, hereto annexed;
- (g) "serious and prolonged disability" shall not include a disability of a degree less than 20 per cent in accordance with the Table of Disabilities provided for under the Pension Act;
- (h) "war with the German Reich" means the war waged by His Majesty and His Majesty's Allies against Germany and Germany's allies into which Canada entered on the 10th day of September, 1939, the date of termination of which will be such date as may be declared by His Excellency the Governor General by Order in Council;
- (i) "war service injury" means:
 - (a) any physical injury arising out of and in the course of the performance in a designated area in Canada of duties during a blackout or of duties arising as a result of enemy action or counter-action by an air raid precautions worker as a member of a duly approved body with which he is registered as a volunteer worker, or,
 - (b) any physical injury suffered by volunteer Air Raid Precautions Personnel who have been duly registered for fire prevention or demolition duties and who have suffered such injury during periods of training duly authorized by the senior Air Raid Precautions Officer in the particular designated area in which such injury was sustained.

(2) Unless it is otherwise provided, or the context otherwise requires, expressions contained in this Order shall have the same meaning as in the Pension Act.

INTRODUCTORY

2. The provisions of this order shall be applicable in respect of any war service injury suffered by any air raid precautions worker during the war with the German Reich.

3. (1) The "Commission" referred to in this order means the Canadian Pension Commission.

(2) All provisions of the Pension Act which are not inconsistent with the provisions of this order or any regulation made pursuant to this order shall apply to every claim made under this order and all such claims shall be dealt with by the Commission in a like manner as if such claims were claims under the Pension Act and as if the person by or in respect of whom application is made was a member of the forces thereunder.

(3) Every decision of the Commission made under this order or under any regulation pursuant to this order whether relating to a question of interpretation or otherwise shall be final.

(4) An injury allowance, in accordance with the rates set forth in Schedule A, may be paid to any person who, while engaged as an air raid precautions worker in a designated area, suffers a war service injury, in respect of any period or periods of seven consecutive days, in the six months next following the date of the injury, during the whole of which he is incapacitated for work by such injury.

(5) A pension, in accordance with the rates set forth in Schedule B, may be paid to any person who, while engaged as an air raid precautions worker in a designated area, suffers a war service injury which is the cause of serious and prolonged disability.

(6) If the death of any person occurs within seven years after and as a direct result of a war service injury suffered by him while engaged as an air raid precautions worker in a designated area, a pension, in accordance with the rates set forth in Schedule C, may be paid to the widow, dependent orphan children, or dependent parents of such deceased person.

(7) Where any injury allowance or pension is payable under this order to any person unless such person is entitled to receive medical and surgical treatment or hospital care from some other source, such medical and surgical treatment or hospital care as may be necessary during the period of six months next following the date of the injury in respect of which such injury allowance or pension is payable, may be furnished to such person by the Department of Pensions and National Health.

(8) Where any person dies as the direct result of a war service injury suffered by him while engaged as an air raid precautions worker in a designated area and the estate of such person is not sufficient to pay the expenses of his burial, a sum, not exceeding \$100, may be paid in respect of such expenses of burial.

SUPPLEMENTARY

9. If more than one injury allowance or pension may be paid under this order to or in respect of the same person, only one injury allowance or pension shall be paid, but the Commission may, in its discretion, direct payment of the allowance or pension which is the greater in amount.

10. (1) If any two persons, to whom any injury allowances or pensions become payable under this order, are married to one another, injury allowances or pensions may be paid to them as if they were unmarried.

(2) In any such case the additional allowances, or additional pensions, if any, which may be payable in accordance with the rates set forth in Schedules A and B in respect of any dependent child or children shall be paid in respect of the injury to the husband unless the wife is not wholly or mainly maintained by him, in which case such additional allowances or additional pensions, if any, shall be paid in respect of the injury to the parent who is responsible for the support of such dependent child or children.

11. If any person to whom a pension is payable under this order is a widower or subsequently becomes a widower and if he has any dependent child or children and if there exists a daughter or other person competent to assume, and who does assume, the household duties and care of such dependent child or children, the additional pension, if any, which might otherwise be payable under this order in respect of the wife of such person may, in the discretion of the Commission, be paid to him so long as there is any such dependent child.

12. If a widow or unmarried woman, to whom a pension is payable under this order, dies, and if she is survived by any dependent child or children in respect of which any additional pension or pensions were payable to her at the time of her death and if there is a daughter of such widow or unmarried woman competent to assume and who does assume the household duties and care of such dependent child or children, the pension payable to such widow or unmarried woman prior to her death, including any such additional pensions as may from time to time continue to be payable, may, in the discretion of the Commission, be paid to such daughter so long as there is any such dependent child.

13. No injury allowance, pension or other payment under this order shall be paid in respect of any war service injury or in respect of any disability or death directly therefrom if such injury was suffered by reason of the wilful negligence or improver conduct of the person injured.

14. No pension shall be paid, under this order, to the widow of any person in respect of the death of such person unless she was wholly or mainly maintained by him at the time of his death and unless she had been married to him prior to the date of the injury as a direct result of which his death occurred.

15. No additional allowance or additional pension under this order shall be paid to any married man in respect of his wife, unless immediately prior to the date of the injury in respect of which such additional allowance or additional pension may be paid, his wife was wholly or mainly maintained by him.

16. No additional allowance or additional pension payable under this order in respect of any dependent child or children, shall be paid in respect of any child or children born after the date of the injury in respect of which any injury allowance or pension is payable.

17. No additional allowance or additional pension payable under this order in respect of any dependent child or children shall be paid to any unmarried woman if she is in receipt of or is entitled to receive any grant, allowance or payment, other than any such additional allowance or additional pension under this order, in respect of the maintenance of any such dependent child or children.

18. No additional allowance or additional pension payable under this order in respect of any dependent child or children shall be paid to any married woman if she is wholly or mainly maintained by her husband or if she is in receipt of or is entitled to receive any grant, allowance or payment, other than any such additional allowance, or additional pension under this order, in respect of the maintenance of any such dependent child or children.

19. If any person to whom a pension may be paid under section 5 hereof is a boy under the age of sixteen years or a girl under the age of seventeen years, no pension shall be paid to such person until such person attains the age, if a boy, of sixteen years, or if a girl, of seventeen years.

20. (1) No injury allowance or pension shall be paid under this order to or in respect of any person during any period in respect of which the person to whom such injury allowance or pension may be paid, receives or is entitled to receive any grant, allowance, compensation, pension or other payment of a like nature under the provisions of any Dominion or Provincial statute or payable out of any public funds to which such person has not contributed any direct financial payment.

(2) If such other grant, allowance, compensation, pension or other payment of a like nature is less than the amount of any injury allowance or pension which might otherwise have been payable under this order in respect of the period in

question an injury allowance or pension may, in the discretion of the Commission, be paid in respect of such period in the amount of the difference between such other grant, allowance, compensation, pension or other payment of a like nature and such injury allowance or pension as might otherwise have been payable under this order.

GENERAL

21. No pension shall be paid under this order in respect of any disability unless application is made therefor within one year after the date of the injury resulting in such disability or in the case of a person falling within the terms of section 19 hereof, within one year of the attainment of the respective ages therein set out, or in respect of death unless application is made therefor within one year after such death.

22. The Commission may make regulations not inconsistent with this order for the purpose of carrying this order into effect and such regulations may (without prejudice to the generality of the foregoing) make provisions for prescribing:

- (a) The person by whom and the form and manner in which applications for injury allowance pensions or other allowances under this order may be made;
- (b) The records, documents and other information which must be furnished to the Commission in connection with any application as aforesaid.

23. All payments required to be made under this order shall be made out of the funds provided by the War Appropriation Act.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

SCHEDULE A INJURY ALLOWANCES

Status of Person	Weekly rate if not in hospital	Weekly rate if in hospital
Man or woman.....	\$ 11.50	\$ 2.00
Additional allowance for wife.....	4.60	8.00
Additional allowance for each dependent child.....	2.30	3.60
Additional allowance for each dependent parent.....	2.30	3.60

SCHEDULE B

SCALE OF PENSIONS FOR DISABILITIES
PERCENTAGE OF DISABILITY, CLASS AND ANNUAL RATE

Status of Person	Class 1 100%	Class 2 99%–95%	Class 3 94%–90%	Class 4 88%–85%	Class 5 84%–80%	Class 6 78%–75%	Class 7 74%–70%	Class 8 68%–65%	Class 9 64%–60%	Class 10 58%–55%	Class 11 54%–50%	Class 12 49%–45%	Class 13 44%–40%	Class 14 39%–35%	Class 15 34%–30%	Class 16 29%–25%	Class 17 24%–20%
	99%–95% 94%–90%	95%–90% 88%–85%	90%–85% 84%–80%	85%–80% 78%–75%	80%–75% 74%–70%	75%–70% 68%–65%	70%–65% 64%–60%	65%–60% 58%–55%	60%–55% 54%–50%	55%–50% 49%–45%	50%–45% 44%–40%	45%–40% 39%–35%	40%–35% 34%–30%	35%–30% 29%–25%	30%–25% 24%–20%	25%–20% 20%–17%	
Man or woman.....	\$ 600	\$ 570	\$ 540	\$ 510	\$ 480	\$ 450	\$ 420	\$ 390	\$ 360	\$ 330	\$ 300	\$ 270	\$ 240	\$ 210	\$ 180	\$ 150	
Additional pension for wife.....	240	228	216	204	192	180	168	156	144	132	120	108	96	84	72	60	
Additional pension for first and each subsequent child	120	114	108	102	96	90	84	78	72	66	60	54	48	42	36	30	
Additional pension for dependent parents	120	114	108	102	96	90	84	78	72	66	60	54	48	42	36	30	

P.R. 10644.

SCHEDULE C

SCALE OF PENSION FOR DEATHS

Status	Annual Rate of Pension
Widow.....	\$ 480
Additional pension for first and each subsequent dependent child.....	120
Orphan child.....	240
Each subsequent orphan child, an additional.....	180
Dependent parents, if no widow or dependent children.....	Such an amount not exceeding a widow's pension as is deemed adequate by the Commission.

**Order in Council amending definition of "supplies," P.C. 6391,
19th August, 1941**

P.C. 7174

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 12th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, by Order in Council P.C. 6391 of 19th August, 1941, provision was made for the appointment of a Controller of Supplies, and Regulations Respecting Supplies were established, by virtue of which certain powers and duties were conferred or charged upon the Controller of Supplies;

And whereas, by Order in Council P.C. 6834 of 28th August, 1941, establishing the Wartime Prices and Trade Board Regulations, and by Order in Council P.C. 6835 of 29th August, 1941, re-organizing the Wartime Industries Control Board, the powers and duties of the various Controllers, including the Controller of Supplies, were amended as therein set forth;

And whereas it has thereby become necessary to amend the definition of "supplies" as set forth in the said Order in Council P.C. 6391 in order to remove the possibility of conflict with the provisions of the said Orders in Council P.C. 6834 and P.C. 6835;

And whereas it is deemed advisable to confer further and additional powers on the Controller of Supplies in order to enable him to carry out and discharge fully and effectually the powers and duties vested in and/or charged upon him;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply and under and by virtue of the powers conferred on the Governor General in Council by The Department of Munitions and Supply Act and by The War Measures Act, is pleased to amend the "Regulations Respecting Supplies" established by Order in Council P.C. 6391, of 19th August, 1941, and they are hereby amended as follows:—

1. The following additional paragraph, to be known as paragraph (kk), is added to section 1 of the said Regulations to follow immediately after paragraph (k):

"(kk) "thing" includes article, commodity, substance, goods, material and service;"

2. Paragraph (m) of section 1 of the said Regulations is hereby rescinded, and the following is substituted in place thereof—

"(m) "supplies means any of those things, whether made, partially made or in a natural or raw state, which in the opinion of the minister,

- (i) are capable of being made, either by themselves or in combination or conjunction with any other thing, into arms, ammunition, implements of war, or naval, military or air force stores, or
- (ii) are, or may be, useful in the making, supply, transportation or storage thereof, or
- (iii) are, or may be, necessary for the needs of the Government or of the community in war,

and which things the Minister shall, from time to time by written order signed by him, designate as being "supplies" within the meaning of this paragraph (m); provided that any such order shall have effect from the date of the signing thereof or such later date as the Minister may fix, and shall as soon as possible thereafter be published in the *Canada Gazette*; provided further that "supplies" does not and shall not include any of those things in respect to which a Controller has been, or shall hereafter be appointed on the recommendation of the Minister of Munitions and Supply, or over, or in respect to which such a Controller, or any Administrator or other qualified person appointed by the Wartime Prices and Trade Board with the approval of the Governor General in Council to regulate the supply and distribution of specified things, has received, or may hereafter receive, authority, jurisdiction or power; and if any such thing on the receipt of such authority, jurisdiction or power by such a Controller, or by such an Administrator or such other qualified person, has already been so designated by the Minister hereunder, then, from the date of the receipt of such authority, jurisdiction or power by such a Controller, or by such an Administrator or such other qualified person, such thing shall cease to be "supplies" within the meaning of this paragraph (m)".

3. The following additional paragraph, to be known as paragraph (ff), is added to subsection (1) of section 2 of the said Regulations, to follow immediately after paragraph (f),

"(ff) To prohibit any person from using supplies and/or equipment of any kind, either absolutely, or to such an extent, or for any such purpose as may be specified by the Controller."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council granting Fairmont Company Limited sole right to
buy or import rubber**

Canada Gazette (Extra), 12th September, 1941

P.C. 7191

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 12th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 5912 of 23rd October, 1940, the Minister of Munitions and Supply was authorized to enter into the Memorandum of Agreement thereto annexed with Fairmont Company Limited and The International Rubber Regulation Committee; and Fairmont Company Limited was authorized to enter into the said Memorandum of Agreement and into agreements (more particularly described in the said Order in Council) with the rubber manufacturers listed in Schedule "A" to the said Memorandum of Agreement;

And whereas the purpose of the execution of the said agreements was to ensure the uninterrupted production and supply of those munitions of war and supplies in which rubber is an essential component, and, for that purpose also, to establish in Canada a reserve of rubber;

And whereas the Controller of Supplies represents that, for the same purpose, it is necessary to take further steps to conserve the available and future supplies of rubber and to increase the amount of such reserve of rubber, and, to that end, to vest in one authority the sole right to buy or import rubber;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under and by virtue of the powers conferred on the Governor General in Council by The Department of Munitions and Supply Act and by The War Measures Act, is pleased to order and doth hereby order as follows:—

1. For the purposes of this Order in Council, unless the context otherwise requires,

- (a) "the Controller" means the Controller of Supplies appointed by the Governor General in Council and his successors for the time being in office;
- (b) "Fairmont" means Fairmont Company Limited;
- (c) "person" includes firm, partnership, company, corporation, committee, association or any other body of persons;
- (d) "rubber" means crude rubber in all its forms and, without restricting the generality of the foregoing, includes liquid latex not compounded, synthetic rubber, unmanufactured crude balata and unmanufactured gutta-percha;
- (e) "ton" means a long ton of two thousand two hundred and forty (2,240) pounds;
- (f) words importing the masculine, feminine or neuter gender respectively shall be deemed to denote either the neuter or the feminine or the masculine where the context or the parties so require.

2. After the date of the publication hereof in the *Canada Gazette*, except as provided in section 3 hereof,

- (a) no person shall import rubber into Canada except under licence issued by the Minister of National Revenue; and
- (b) no person other than Fairmont shall buy any rubber from any person.

3. Every manufacturer or processor of rubber and every other person who requires any rubber for any purpose shall, after the date of the publication hereof in the *Canada Gazette*, buy all such rubber from Fairmont and from no other person.

4. Any and all rubber sold by Fairmont shall be sold by it in such quantities, at such times, and subject to all such restrictions, as the Controller may order from time to time; and every purchaser of such rubber shall pay therefor such price or prices (according to the grades or kind of such rubber) as may, from time to time, be fixed by Fairmont with the approval of the Controller and the Chairman of the Wartime Industries Control Board and with the concurrence of the Wartime Prices and Trade Board.

5. Every person (other than a person who is, in the opinion of the Controller, a bona fide manufacturer or processor of rubber) who has rubber on hand, on order or otherwise in his possession or under his control shall on demand by Fairmont sell to Fairmont the whole or any part of such rubber as may be required by Fairmont and the price to be paid therefor shall be such as is fixed by Fairmont with the approval of the Minister.

6. (1) Fairmont shall, by additional purchases of rubber, augment the existing reserve of rubber established by it pursuant to Order in Council P.C. 5912 of 23rd October, 1940, until such reserve amounts to fifty thousand (50,000) tons; and shall maintain such reserve at that amount (or at such lesser amount as may, from time to time, be fixed by the Controller) until otherwise directed by the Controller.

(2) Fairmont shall use every effort to establish such reserve at fifty thousand (50,000) tons as aforesaid, not later than the first day of April, 1942, and shall make such arrangements as may be required for the handling, storage and inspection thereof.

7. In view of the provisions herein contained for the purchase and sale of rubber, and for the augmentation of the present reserve thereof, the aforesaid Memorandum of Agreement dated as of the 1st day of October, 1940, and made between His Majesty, and the International Rubber Regulation Committee and Fairmont, and the agreements made between Fairmont and the rubber manufacturers pursuant thereto, and including any amendments thereto, have been rendered nugatory, and the Minister of Munitions and Supply is hereby authorized to cancel the said Memorandum of Agreement, and Fairmont is hereby authorized to cancel the above mentioned agreements made between Fairmont and the aforesaid rubber manufacturers.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prohibiting export of birch and maple lumber

Canada Gazette, 20th September, 1941

P.C. 7222

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 12th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, in addition to those enumerated and described in Schedule One of Order in Council P.C. 4366 of June 17th, 1941, deemed capable of being converted into or made useful in military, naval and air stores, in order to carry out more effectively the Regulations respecting Trading with the Enemy, 1939, and to conserve supplies of Commodities required for Canadian and United Kingdom requirements;

Now, therefore His Excellency the Governor General in Council, on the recommendation of the Right Honourable W. L. Mackenzie King, the Prime Minister, for the Minister of Trade and Commerce, and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206, R.S.C., 1927), is pleased to order that, effective on and after the 12th day of September, 1941, the following commodities be added to Group Four of Schedule One of Order in Council P.C. 4366 of June, 17th, 1941.

Birch and Maple Lumber.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council establishing National Defence Minor Claims (Motor Vehicle Accidents) Order, 1941

P.C. 59/7305

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by the deputy of His Excellency the Governor General in Council, on the 17th September, 1941.

The Board recommend that, under authority of the War Measures Act, the following order be made:

1. This order may be cited as "The National Defence Minor Claims (Motor Vehicle Accidents Order), 1941".
2. In any case of a claim against the Crown arising out of any death or injury to the person or to property resulting from the alleged negligence of any officer or servant of the Crown in the maintenance or operation of a

motor vehicle while acting in Canada within the scope of his duties or employment as an officer or member of the Naval, Military or Air Forces of Canada, when the combined amount of all claims arising out of deaths or injuries to the person or to property which are alleged to have resulted from any such alleged negligence does not exceed \$200, the following regulations may be substituted for regulations 4 to 10, inclusive, of the regulations approved by Order in Council P.C. 80/1045, dated March 19, 1940.

- (i) When the branch of the Department of National Defence concerned has completed the investigation referred to in the said regulations and has obtained the necessary material from the claimant, it shall forward all the material so obtained to the Judge Advocate-General in such manner as he may from time to time direct and he shall then express his opinion as to whether or not, in the circumstances set out therein, there is any legal liability on the part of the Crown, and, if so, whether the claim should be settled in full or an endeavour made to obtain a compromise;
- (ii) If the Judge Advocate-General gives an opinion to the effect that there is no legal liability on the part of the Crown, the branch of the Department of National Defence concerned shall so advise the claimant and deny all liability with respect to his claim;
- (iii) If the Judge Advocate-General gives an opinion to the effect that there is legal liability on the part of the Crown and that the claim should be paid in full, the appropriate Chief Treasury Officer in the Department of National Defence shall, upon the authority of the Deputy Minister of the Branch of the Department of National Defence concerned, make such payment to the claimant in full settlement of his claim on production of a duly executed release of all claims by the claimant arising out of the alleged negligence. Such Deputy Minister, if he grants such authority, shall at the same time, if the officer or servant is one liable to make reimbursement under the provisions of Clause (vi) of this paragraph, order that such officer or servant make such reimbursement.
- (iv) If the Judge Advocate-General gives an opinion to the effect that there is legal liability on the part of the Crown but that the claim is excessive and should be reduced, if possible, the branch of the Department of National Defence concerned shall communicate, without prejudice, with the claimant and endeavour to arrange a settlement accordingly, and if a compromise is agreed upon the appropriate Chief Treasury Officer shall, upon the authority of the Deputy Minister of the branch of the Department of National Defence concerned, pay the amount so agreed upon to the claimant in full settlement of his claim upon production of a duly executed release of all claims by the claimant arising out of the alleged negligence, and such Deputy Minister, if he grants such authority, shall also make an order as provided in Clause (iii) of this paragraph.
- (v) (a) When giving an opinion with reference to the legal liability of the Crown in respect of any such claim, the Judge Advocate-General shall also give an opinion as to whether any officer or servant of the Crown on whose alleged negligence the claim is based is legally liable to reimburse the Crown in respect of any liability which the Crown has incurred by reason of such alleged negligence.

- (b) Where, in the opinion of the Judge Advocate-General, the facts as disclosed by the material placed before him indicate only a slight degree of negligence and do not involve recklessness, undue carelessness, or intentional omission or commission of any act amounting to a wrongful act, he shall, if he gives an opinion pursuant to the provisions of sub-clause (a) of this Clause, that any officer or servant of the Crown is legally liable to reimburse the Crown, state that the negligence was of a minor character.
- (vi) In a case where, in the opinion of the Judge Advocate-General, such officer or servant is so liable, after the claim has been paid in whole or in part, demand shall, except where the negligence involved is of a minor character, be made upon such officer or servant for reimbursement to the following extent; said demand shall be made in the manner prescribed by paragraphs 4 and 5 of this Order:
- (a) where the amount paid by the Crown in respect of such claim is twenty-five dollars or less, the full amount paid by the Crown;
 - (b) where the amount paid by the Crown in respect of such claim is more than twenty-five dollars and does not exceed one hundred dollars, one-half of the amount paid by the Crown or twenty-five dollars, whichever is the greater;
 - (c) where the amount paid by the Crown in respect of such claim is more than one hundred dollars and does not exceed two hundred dollars, one-third of the amount paid by the Crown, or fifty dollars, whichever is the greater.
3. (i) In case of a claim against the Crown arising out of any death or injury to the person or to property resulting from the alleged negligence of any officer or servant of the Crown in the maintenance or operation of a motor vehicle while acting in Canada within the scope of his duties or employment as an officer or member of the Naval, Military or Air Forces of Canada, the branch of the Department of National Defence concerned shall cause the investigation required by Order in Council P.C. 80/1045 to be made in such manner as the Judge Advocate-General, by specific or general instructions, may direct, notwithstanding that Naval, Military or Air Force Regulations require that such investigation be carried out in the manner therein stated.
- (ii) In any such case the investigation required by the Naval, Military or Air Force Regulations need not be made unless the Naval, Military or Air Force officer in command, or other service authority concerned, considers such investigation necessary for some other purpose than to comply with the provisions of the said Order in Council P.C. 80/1045.
- (iii) In any case where such Naval, Military or Air Force officer in command, or such other service authority considers the investigation required by the Naval, Military or Air Force Regulations to be necessary, such investigation shall be separate and distinct from the investigation required by Clause (i) of this paragraph unless the Judge Advocate-General otherwise directs.
4. Where in the opinion of the Judge Advocate-General, pursuant to paragraph 2 (v) of these Regulations or in the opinion of the Deputy Minister of Justice pursuant to the provisions of Order in Council dated

19th March, 1940, P.C. 80/1045, the negligence of the Officer or servant of the Crown is not of a minor character, then as soon as the claim has been settled, the demand which, under paragraph 2 (vi) of these Regulations, is required to be made, shall be made in accordance with the following procedure:

- (i) The Judge Advocate-General shall forward to the appropriate branch concerned of the Department of National Defence a statement setting out the reasons why the said negligence is not considered to be of a minor character.
- (ii) The appropriate officer shall then cause a written demand to be sent to the officer or servant of the Crown concerned incorporating therein the aforesaid reasons as to why the negligence of such officer or servant is not considered to have been of a minor character.
- (iii) Such demand shall call upon such servant to show cause, within one week after the receipt by him of such demand, why he should not be put under stoppages of pay and allowances or other emoluments to reimburse the Crown in accordance with the provisions of paragraph 2 (vi) of this Order or paragraph 9, of the Regulations made and established by Order in Council dated 19th March, 1940, P.C. 80/1045, as the case may be.

5. If, within the aforesaid period of one week, such officer or servant of the Crown fails to show cause why he should not be put under stoppages, as aforesaid, or if purporting to show cause, the reasons which he has advanced are not considered by the Deputy Minister of the Branch concerned of the Department of National Defence or the Deputy Minister of Justice, as the case may be, to warrant said officer or servant not being placed under stoppages, as aforesaid, or if, after further investigation, the Deputy Minister concerned does not consider that satisfactory cause has been so shown, then the Deputy Minister (Navy) or the Deputy Minister (Army) or the Deputy Minister (Air), as the case may be, may make such Order as to him seems just for the stoppage of all or part of the pay, allowances, and other emoluments (other than dependents' allowance, if any, and the amount of pay assigned in connection therewith) granted to, or in respect of, such officer or servant of the Crown for the purpose of paying the amount set out in the Order for reimbursement.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council amending Wartime Cost of Living Bonus to
members of Public Service**

P.C. 122/7305

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by the Deputy of His Excellency the Governor General in
Council, on the 17th September, 1941.*

The Board recommend that Order in Council of August 26th, 1941, P.C. 6702, be amended, effective August 1st, 1941, by the substitution in Sections 6 and 7 of the words "Subsection (iii) of Section 5" for the words "Subsections (ii) and (iii) of Section 5".

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council establishing regulations re avoidance of industrial strife

Canada Gazette (Extra), 19th October, 1941

P.C. 7307

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 16th day of September, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas it is provided in the Industrial Disputes Investigation Act that the relations of the parties to a dispute shall remain unchanged pending proceedings before a board and until a copy of the Board's report has been delivered through the Registrar to both of the parties affected;

And whereas by Order in Council P.C. 3495, of November 7, 1939, as amended by Order in Council P.C. 1708, of March 10, 1941, the provisions of the aforesaid Act were extended to disputes between employers and employed engaged in the production of munitions of war and supplies and the execution of defence projects;

Therefore, with a view to the avoidance of industrial strife and to the end that the industrial capacity of Canada requisite to the successful prosecution of the war may be utilized to the fullest possible extent, the Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and under and by virtue of the powers conferred by the War Measures Act, Chapter 206, R.S.C., 1927, is pleased to make the following regulations and they are hereby made and established accordingly:—

1. In any case in which a Board of Conciliation and Investigation has submitted its findings to the Minister of Labour and certified copies of the same have been delivered to both parties to the dispute, no strike shall take place except subject to and in accordance with the provisions of these regulations.

2. If it be the desire of the employees to strike or to take a strike vote, they shall before going on strike or taking a strike vote notify the Minister that such is their desire, and upon receipt of any such notice if the Minister is of opinion that a cessation of work would interfere with the efficient prosecution of the war, he may order or direct that a strike vote be taken under the supervision of the Department of Labour upon and subject to such provisions, conditions, restrictions or stipulations as he may make or impose.

3. In any case in which the Minister makes an order or direction as aforesaid, all employees who in his opinion are affected by the dispute or whose employment might be affected by the proposed strike shall be entitled to vote and the voting shall take place within five days from the day upon which the Minister received notice that the employees desired to take a strike vote.

4. Unless a majority of the ballots of those entitled to vote are cast in favour of a strike, it shall be unlawful for any employee to go on strike.

5. Any employee who goes on strike contrary to the provisions of these Regulations and any person who contravenes or fails to comply with any of these Regulations or any order or direction made or given by the Minister

thereunder, or who incites, encourages or aids in any manner any employee to go or continue on strike, or any person to contravene or fail to comply with any of these Regulations or any order or direction of the Minister thereunder, shall be guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding twelve months, or to both fine and imprisonment.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council declaring Syria and Lebanon no longer proscribed territory

P.C. 7342

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 20th day of September, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council of 30th May, 1941 (P.C. 3851), the provisions of the Consolidated Regulations Respecting Trading with the Enemy (1939) were extended to and deemed to apply to Syria and Lebanon as proscribed territory;

And whereas the Secretary of State reports that similar measures were on or about the same date taken by the United Kingdom but that by reason of the changed conditions in Syria and Lebanon the Order in the United Kingdom has now been revoked and it is expedient that a similar measure should be taken in Canada;

Therefore the Deputy of His Excellency the Governor General in Council, on the recommendation of the Secretary of State (concurred in by the Minister of Finance), is pleased to order and it is hereby ordered that as and from September 15th, 1941, the territory of Syria and Lebanon be no longer deemed to be proscribed territory within the provisions of the Consolidated Regulations Respecting Trading with the Enemy (1939).

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council declaring Toronto Casa D'Italia Limited, Hamilton Casa D'Italia Ltd., Casa D'Italia di Ville Emard Inc., Casa D'Italia—Maison D'Italie Ltd., enemies

P.C. 7343

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 20th day of September, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Secretary of State of Canada, reports that in view of the control previously exercised over the affairs of the *Toronto Casa D'Italia Limited, Hamilton Casa D'Italia Limited, Casa D'Italia—Maison D'Italie, Casa D'Italia di Ville Emard Inc.* by the Italian Government, and in view of the activities of persons associated with the said companies, it is necessary and expedient with a view to preventing any of the resources in Canada of the said companies benefiting the enemy, and in order that their assets may be controlled and administered, to place under custody all property in Canada of the said companies;

That the most expedient measure which can be adopted to insure the proper administration of the assets of the said companies in the interest of Canada's war effort is to use the machinery of the Custodian's office established under the Consolidated Regulations Respecting Trading with the Enemy (1939); and

That Regulation 1 (b) (iv) of the Consolidated Regulations Respecting Trading with the Enemy (1939) provides that the Governor General in Council may declare any person to be an enemy within the meaning of the said Consolidated Regulations Respecting Trading with the Enemy (1939);

Now, therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Secretary of State, and under and by virtue of the War Measures Act (R.S.C. 1927, Chapter 206) and of the Consolidated Regulations Respecting Trading with the Enemy (1939) is pleased to make the following order and it is hereby made, enacted and put into force:—

ORDER

From and including the 10th day of June, 1940, the *Toronto Casa D'Italia Limited, Hamilton Casa D'Italia Limited, Casa D'Italia—Maison D'Italie, and Casa D'Italia di Ville Emard Inc.* are hereby declared to be enemies within the meaning of the Consolidated Regulations Respecting Trading with the Enemy (1939).

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending regulations respecting machinery and
machine tools**

P.C. 7357

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 20th day of September, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 4101 of 22nd August, 1940, the office of Machine Tools Controller was established and Regulations Respecting Machinery and Machine Tools were made and put in effect;

And whereas it is deemed advisable that no person should be subject to action or proceedings for breach of contract by reason only of the compliance by such person with an order, requirement, or prohibition of the Machine Tools Controller;

Now, therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Munitions and Supply, and under and by virtue of the powers conferred by The Department of Munitions and Supply Act and by The War Measures Act, is pleased to amend the said Regulations and they are hereby amended by adding thereto an additional section, to be known as section (5), to follow immediately after section (4) as follows:—

- “(5) Where the failure to fulfil any contract or obligation, whether made before or after the date of this Order in Council, is due to the compliance on the part of any person, firm, or corporation with any order, instruction, regulation, restriction, limitation, licence, permit, prohibition, requirement, direction or quota made, issued, established or given by the Machine Tools Controller or by the Minister of Munitions and Supply, by virtue of this Order in Council, proof of that fact shall be a good and complete defence to any action or proceeding in respect of such failure.”

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council amending regulations respecting metals

P.C. 7358

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 20th day of September, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 3187 of 15th July, 1940, the office of Metals Controller was established and Regulations Respecting Metals were made and put in effect;

And whereas it is deemed advisable that no person should be subject to action or proceedings for breach of contract by reason only of the compliance by such person with an order, requirement or prohibition of the Metals Controller;

Now, therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Munitions and Supply, and under and by virtue of the powers conferred by the Department of Munitions and Supply Act and by The War Measures Act, is pleased to amend the said Regulations and they are hereby amended by adding thereto an additional section, to be known as section (5), to follow immediately after section (4) as follows:—

“(5) Where the failure to fulfil any contract or obligation, whether made before or after the date of this Order in Council, is due to the compliance on the part of any person, firm or corporation with any order, instruction, regulation, restriction, limitation, licence, permit, prohibition, requirement, direction or quota made, issued, established or given by the Metals Controller or by the Minister of Munitions and Supply, by virtue of this Order in Council, proof of that fact shall be a good and complete defence to any action or proceeding in respect of such failure.”

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations respecting steel

P.C. 7359

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 20th day of September, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2742 of 24th June, 1940, the office of Steel Controller was established and Regulations Respecting Steel were made and put in effect;

And whereas it is deemed advisable that no person should be subject to action or proceedings for breach of contract by reason only of the compliance by such person with an order, requirement or prohibition of the Steel Controller;

Now, therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Munitions and Supply, and under and by virtue of the powers conferred by The Department of Munitions and Supply Act and by The War Measures Act, is pleased to amend the said Regulations and they are hereby amended by adding thereto an additional section, to be known as section (5), to follow immediately after section (4) as follows:—

“(5) Where the failure to fulfil any contract or obligation, whether made before or after the date of this Order in Council, is due to the compliance on the part of any person, firm or corporation with any

order, instruction, regulation, restriction, limitation, licence, permit, prohibition, requirement, direction or quota made, issued, established or given by the Steel Controller or by the Minister of Munitions and Supply, by virtue of this Order in Council, proof of that fact shall be a good and complete defence to any action or proceeding in respect of such failure."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations respecting timber

P.C. 7360

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 20th day of September, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2716 of 24th June, 1940, the office of Timber Controller was established and Regulations Respecting Timber were made and put in effect;

And whereas it is deemed advisable that no person should be subject to action or proceedings for breach of contract by reason only of the compliance by such person with an order, requirement or prohibition of the Timber Controller;

Now, therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Munitions and Supply, and under and by virtue of the powers conferred by The Department of Munitions and Supply Act and by The War Measures Act, is pleased to amend the said Regulations and they are hereby amended by adding thereto an additional section, to be known as section (6), to follow immediately after section (5) as follows:—

- "(6) Where the failure to fulfil any contract or obligation, whether made before or after the date of this Order in Council, is due to the compliance on the part of any person, firm, or corporation with any order, instruction, regulation, restriction, limitation, licence, permit, prohibition, requirement, direction or quota made, issued, established or given by the Timber Controller or by the Minister of Munitions and Supply, by virtue of this Order in Council, proof of that fact shall be a good and complete defence to any action or proceeding in respect of such failure."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending regulations governing welfare and treatment
of refugees**

P.C. 7398

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 25th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Secretary of State, is pleased to order that paragraph 23 of the Regulations governing the welfare and treatment of Refugees, established by Order in Council of 15th July, 1941 (P.C. 5246), be and it is hereby revoked and the following substituted therefor:—

“23. The rate of pay for Refugees, from and after the 31st August, 1941, shall be 30 cents per day for such days as Refugees are employed, but foremen, when employed on two shifts in one day, shall be paid at the rate of 50 cents per day.”

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council prohibiting importation of goods from Japan or
of Japanese origin**

P.C. 7473

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 23rd day of September, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Secretary of State for External Affairs reports that it is in the national interest that the importation into Canada of goods from Japan or Japanese origin be prohibited except in such cases as the Minister of National Revenue in his discretion deems desirable and under and in accordance with the terms of a permit granted by him;

Therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Secretary of State for External Affairs, and under and by virtue of the War Measures Act, is pleased to order that the importation into Canada of goods from Japan, the Japanese Empire, or Manchuria, or the growth, produce or manufacture of Japan, the Japanese Empire, or of Manchuria, be and it is hereby prohibited except in such cases as the Minister of National Revenue in his discretion deems desirable and under and in accordance with the terms of a permit granted by him.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council amending P.C.1/1569—wartime employees
deductions—retirement fund**

P.C. 20/7474

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by the Deputy of His Excellency the Governor General in
Council, on the 23rd September, 1941.*

The Board recommend that Order in Council P.C. 1/1569 of 19th April, 1940, be amended by adding the following to paragraph 5:—

"if an employee who is subject to the provisions of this Order in Council becomes a contributor under the provisions of the Civil Service Superannuation Act, and does not elect to contribute for his service prior to the date of his becoming a contributor under that Act, he may be granted a return of his contributions made to the Retirement Fund."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing trainees under labour programs eligible
Government Employees Compensation Act**

P.C. 28/7474

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by the Deputy of His Excellency the Governor General in
Council, on the 23rd September, 1941.*

The Board recommend that all trainees enrolled and accepted for training under any schedule approved pursuant to the terms of Order in Council of June 25, 1941, P.C. 4636, be considered to be employees within the meaning of that term as defined in the Government Employees Compensation Act during the period of training, to the same extent and subject to the same conditions and limitations as the trainees referred to in Order in Council of June 25, 1941, P.C. 19/4600; and that all personnel actively engaged in carrying on courses whose full salary is paid or contributed to by the Dominion under any schedule approved under the terms of Orders in Council of June 25, 1941, P.C. 4636, and of September 11, 1940, 4506, shall also be considered to be employees within the meaning of that term as defined in the Government Employees Compensation Act during the period of their engagement.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing board and lodging for applicants R.C.A.F.

P.C.64/7474

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by the Deputy of His Excellency the Governor General in
Council, on the 23rd September, 1941.*

The Board had under consideration a memorandum from the Honourable the Minister of National Defence for Air reporting:—

“That, shortly after the outbreak of war, the Y.M.C.A., the Salvation Army and other organizations of a similar character, through the Auxiliary War Services, provided board and lodging to applicants for enlistment in the Royal Canadian Air Force whose means were insufficient to sustain them while the formalities of enlistment were being completed at Recruiting Centres;

That because of the benevolence of the National War Charities Fund these organizations were, at least in part, reimbursed for the services they thus rendered;

That the National War Services Fund Advisory Board since having ruled that the cost of this service to the Royal Canadian Air Force can no longer be included in the Y.M.C.A. (or similar organizations) War Service Budget, it is advised that these organizations can no longer bear this expense; although up to this time the service has been continued of their own volition;

That these organizations have unquestionably rendered and are rendering a valuable contribution in aid of recruiting programs, since they supply a service which the existing Royal Canadian Air Force regulations could not provide from public funds, and that a discontinuance of this service must inevitably have an adverse effect on subsequent recruiting drives;

That since delays of one or two days' duration are often unavoidable in dealing with applications for enlistment, a serious predicament may thereby confront those of insufficient means who seek to enlist;

That the Royal Canadian Air Force Recruiting Organizations propose to surmount this problem by the judicious issue, by Recruiting Officers, of vouchers redeemable at Service organizations or at the homes of other individuals who will provide a similar service, to the value of 90 cents per man per day for board and lodging;

That the proposal to institute such a policy has been endorsed by the Minister of War Services, the Chief of the Air Staff, and other individuals conversant with the acute need for such a measure;

That the number of prospective recruits requiring such assistance in the past has averaged approximately 900 per month of known cases plus an undetermined number who have been sheltered by other organizations and individuals from whom no records are available;

That in view of an accelerated recruiting drive in prospect, it is estimated that the cost of such a policy would not exceed \$1,500 per month or a total maximum outlay of \$10,500 for the remaining seven months of the current Fiscal Year, chargeable to the British Commonwealth Air Training Plan.”

The Board concur in the above report and recommend that authority be granted for the issue by R.C.A.F. Recruiting Officers of vouchers, redeemable at Service organizations or at the homes of other individuals who will provide a similar service to the value of 90 cents per man per day for board and lodging; to applicants for enlistment in the Royal Canadian Air Force whose means are insufficient to sustain them while the formalities of enlistment are being completed at Recruiting Centres, the expenditure involved for the fiscal year 1941-42 not exceeding \$10,500 to be chargeable to funds to be allotted from the War Appropriation.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing remission of Customs duty and taxes articles brought into Canada for temporary use—duration of the war

Canada Gazette, 11th October, 1941

P.C. 86/7474

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by the Deputy of His Excellency the Governor General in Council, on the 23rd September, 1941.

The Board recommend that authority be granted, under the provisions of the War Measures Act, for the refund or remission of Customs duty and taxes paid or ordinarily payable on articles brought into Canada for temporary use during the duration of the war, duty and taxes to be payable, however, monthly in advance on 1/120th of the value of the imported articles for each month or portion thereof during which they remain in Canada, but not less than \$25 in any event, and conditional upon exportation under Customs supervision in due course, subject to regulations prescribed by the Minister.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending agreement apples grown in Okanagan Valley

P.C. 7475

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 25th September, 1941.

The Committee of the Privy Council have had before them a report, dated 23rd September, 1941, from the Minister of Agriculture, stating that by Order in Council dated the 25th day of June, 1941 (P.C. 1/4600) an agreement with respect to the marketing of apples grown in the Okanagan Valley of the Province of British Columbia during the year 1941 was approved; and

That it is now desirable to market varieties other than those mentioned as "schedule apples" at Clause 1 (a) of the said agreement.

The Committee, therefore, on the recommendation of the Minister of Agriculture, advise that Your Excellency may be pleased to approve amendment of the aforesaid Clause 1 (a) to read "not more than 200,000 boxes of other varieties maturing later than Wealthy" instead of "not more than 25,000 boxes . . .", the effect thereof being to reduce the prospective cost to the War Appropriation of Clause 3 (b) of the said agreement.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prohibiting export of sitka spruce

Canada Gazette (Extra), 26th September, 1941

P.C. 7519

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 25th day of September, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, in addition to those enumerated and described in Schedule One of Order in Council P.C. 4366 of June 17, 1941, deemed capable of being converted into or made useful in military, naval and air stores, in order to carry out more effectively the Regulations respecting Trading with the Enemy, 1939, and to conserve supplies of Commodities required for Canadian and United Kingdom requirements;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Trade and Commerce, and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by the War Measures Act (Chapter 206 R.S.C., 1927), is pleased to order that, effective on and after the 25th day of September, 1941, the following commodity be and it is hereby added to Group Four of Schedule One of Order in Council P.C. 4366 of June 17, 1941:—

Sitka Spruce: Logs and hewn timber, sawed timber, boards, planks and scantling.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing payment of one-third of freight charges on western grains destined for eastern provinces

P.C. 7523

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 25th September, 1941.

The Committee of the Privy Council have had before them a report, dated 25th September, 1941, from the Minister of Agriculture, stating that representations have been made by the Provincial Departments of Agriculture that feed

supplies are insufficient to meet live stock feed requirements, and have urged that action be taken whereby the Dominion Government would assist Eastern farmers in obtaining the necessary Western feed grains and mill feeds at prices which will permit them to maintain live stock production; and

That it is essential that adequate supplies of feed be available for live stock in Eastern Canada to ensure that the agricultural products necessary for war requirements be produced.

The Minister, therefore, recommends that he be authorized, under The War Measures Act, to pay one-third of the regular freight charges on carload lots or steamship cargoes of Western grains whole or ground, wheat bran, wheat shorts, wheat middlings, wheat screenings and mill feeds produced in Eastern Canada from Western wheat, shipped after September 30, 1941, and distributed as feed before July 1, 1942, from Port Arthur or Fort William to destinations in any Province in Eastern Canada; provided that such grains and feeds are distributed and used exclusively as live stock feeds in Eastern Canada.

The Committee concur in the foregoing recommendation and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing further regulations respecting assistance
to the movement of coal**

P.C. 7588

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 1st day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 740 of the 24th day of April, 1933, Order in Council P.C. 3286 of the 4th day of January, 1939, and Order in Council P.C. 3970 of the 5th day of December, 1939, assistance to the movement of coal mined in the Province of Alberta and in the Crow's Nest Pass District of British Columbia and shipped to certain points in the Provinces of Manitoba and Ontario was authorized;

And whereas by Order in Council P.C. 19/6016 of the 6th day of August, 1941, the powers, duties and functions formerly exercisable by the Dominion Fuel Board under the authority of said Orders in Council were transferred to the Coal Administrator under the direction of the Wartime Prices and Trade Board;

And whereas the Coal Administrator, Wartime Prices and Trade Board, advises that, in order to adjust the authorized assistance more closely to present conditions and to facilitate administration, it is desirable to rescind the said Orders in Council P.C. 740, P.C. 3286 and P.C. 3970 and to make, in substitution therefor, a consolidated Order in Council;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and pursuant to powers conferred by the War Measures Act and otherwise, is pleased to order and doth hereby order as follows:—

1. The said Orders in Council P.C. 740 of the 24th day of April, 1933, P.C. 3286 of the 4th day of January, 1939 and P.C. 3970, of the 5th day of December, 1939, are hereby revoked.

2. Movements of coal mined in the Province of Alberta and in the Crow's Nest Pass District of British Columbia and shipped to points in the Province of Ontario shall be assisted by payments out of such sums as may be provided by Parliament from year to year for that purpose.

3. In respect of coal mined in the Province of Alberta and in the Crow's Nest Pass District of British Columbia and shipped by rail, for use by consumers other than railways, to points in the Province of Ontario to which the tariff freight rate in effect at the time of shipment is less than eight dollars (\$8) per net ton, the assistance granted shall be a sum equivalent to a reduction of twenty-five per cent (25%) of the tariff freight rate in effect at the time of shipment; the amount of the said reduction to be payable to the railway which shipped such coal.

4. In respect of coal mined in the Province of Alberta and the Crow's Nest Pass District of British Columbia and shipped by rail, for use by consumers other than railways, to points in the Province of Ontario to which the tariff freight rate in effect at the time of shipment is eight dollars per net ton (\$8) or in excess thereof, the assistance granted shall be a sum equivalent to a reduction of two dollars and fifty cents (\$2.50) per net ton in the said freight rate; the amount of the said reduction to be payable to the railway which shipped the coal.

5. With respect to coal mined in the Province of Alberta and the Crow's Nest Pass District of British Columbia and purchased by a railway for its own use at points in the Province of Ontario, the assistance granted shall be a sum equivalent to a reduction of twenty-five per cent (25%) of the published tariff freight rate in effect at the time of shipment, provided that the amount of the said reduction shall in no instance exceed two dollars (\$2) per net ton; the amount of the said reduction to be payable to the railway.

6. The assistance shall apply only to shipments of coal from coal mines or coal properties operating under requisite permit and shipping coal prior to December 31, 1930.

7. The assistance shall not apply to shipments of less than carload lots.

8. The assistance shall not be granted to any person who refuses or fails to furnish such information as the Wartime Prices and Trade Board may require for the purposes of the administrative duties connected with the movement of coal, and, for the purpose of verifying or certifying such information, any person designated by such Board or by the Coal Administrator may examine and make extracts from all books, records or accounts of any shipper or railway.

9. No assistance shall be paid except as authorized by the Wartime Prices and Trade Board and such Board may decline to authorize any particular payment.

10. In respect of acceptances in effect at the date hereof, issued under authority of any Order in Council hereby revoked, for assistance to movement of coal to consumers other than railways, shipments covered by such acceptances shall be completed.

11. In respect of movements of coal or briquettes under said Order in Council P.C. 3970 of December 5, 1939, for the use of the railways, billings at the rates of assistance authorized in said Order in Council shall be concluded with those for the month of August, 1941.

12. Movements of briquettes made from coal mined in the Province of Alberta or in the Crow's Nest Pass District of British Columbia from coal eligible for assistance under the provisions of this Order in Council shall receive assistance at the same rates as are provided herein for coal.

13. All applications for assistance shall be made in such manner and form as may be prescribed from time to time by the Coal Administrator.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council establishing "The Post-Discharge Re-Establishment Order"

P.C. 7633

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 1st day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Pensions and National Health reports that it is advisable that provision should be made to facilitate the orderly re-establishment in civil life of persons who may be discharged from the Naval, Military or Air Forces of Canada after serving in the present war;

That, as The Unemployment Insurance Act, 1940, came into active operation on July 1, 1941, persons who may be employed in insured industry during the war period will enjoy protection under that Act based on their employment during that period;

That it is advisable that, as nearly as may be, parity should be established between discharged persons who may return to insurable employment, whether in insurable employment before enlistment or not, and those in insurable employment during the war period, and that substantially the same standard of protection as under The Unemployment Insurance Act should be afforded to discharged persons until they become re-established in civil life, whether in insurable employment or otherwise;

That, as unemployment insurance benefits are payable out of the Unemployment Insurance Fund, it is advisable that contributions should be made to that Fund on behalf of discharged persons who return to insurable employment to the end that time served by persons in the Naval, Military or Air Forces of Canada subsequent to July 1, 1941, may count as employment in insurable employment under The Unemployment Insurance Act, 1940;

That it is advisable that persons now in the said forces should know as soon as possible, and that persons who enlist in the future should know when they enlist, the further provision thereafter proposed for their orderly re-establishment in civil life on discharge in completion of the program already established for that purpose, namely,

- (i) clothing allowance,
- (ii) transportation to place of enlistment or home,

- (iii) rehabilitation grant;
 - (iv) remedial medical treatment;
 - (v) vocational training facilities;
 - (vi) re-instatement or preference in employment and placement and guidance services, and
 - (vii) pension for disabilities, with ancillary hospital treatment.
- in order that such persons may effectively plan for their re-establishment in advance of discharge;

That, pursuant to the provisions of section 2 of The War Appropriations Act, 1941, chapter 11 of the Statutes of Canada, 1941, the Governor in Council may authorize expenditures during the year ending the 31st day of March, 1942, for the carrying out of any measure deemed advisable in consequence of the existence of the state of war; and

That, pursuant to the provisions of the War Measures Act, chapter 206 of the Revised Statutes of Canada, 1927, the Governor in Council may make such orders and regulations as may, by reason of the existence of real or apprehended war, be deemed necessary or advisable for the security, defence, peace, order and welfare of Canada:

Therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health and under and pursuant to the provisions of The War Appropriation Act, 1941, chapter 11 of the Statutes of Canada, 1941, and the War Measures Act, chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make the following order and it is hereby made and established accordingly:—

PART I

1. This order may be referred to as "The Post-Discharge Re-Establishment Order."

2. In this order, unless the context otherwise requires:

"discharge" means discharge or retirement from, or ceasing to serve on active service in, the Naval, Military or Air Forces of Canada subsequent to July 1, 1941;

"discharged person" means any person who, having been in receipt of either active service rates of pay or of Permanent Force rates of pay serving in the Naval, Military or Air Forces of Canada during the present war, subsequent to July 1, 1941, is discharged or retired from, or ceases to serve on active service in, the said forces;

"enlistment" means enlistment or enrolment in, or appointment to a commission in, the Naval, Military or Air Forces of Canada;

"married person" means—

- (i) a man whose wife is being maintained wholly or mainly by him, or
- (ii) a married woman who has a husband dependent on her, or
- (iii) a married person, widow or widower, who maintains wholly or mainly one or more children under the age of 16 years;

and for the purpose of this definition "child" includes any child of the discharged person, a stepchild, adopted child, or illegitimate child;

"Minister" means the Minister of Pensions and National Health;

"non-pensionable disability" means a disability in respect of which no pension has been granted under The Pension Act;

"pension" means a pension under The Pension Act;

"rehabilitation grant" means a grant made pursuant to the provisions of Order in Council P.C. 7521 dated December 19, 1940, as amended;

"service" means service in the Naval, Military or Air Forces of Canada during the present war; and

"university" means a Canadian University or College, of educational standards approved by the Minister.

3. The Minister may make regulations which, in his opinion, are necessary or advisable for carrying out the provisions of Parts II and III of this order.

4. This order shall come into force on the first day of October, 1941.

PART II

5. (1) The Minister may, subject to the provisions of paragraph 10 hereof, order that a discharged person be paid an out-of-work benefit at the rate of \$13 per week if he is a married person, and at the rate of \$9 per week if he is not a married person, for any week or part thereof during which he

- (i) is capable of and available for work but unable to obtain suitable employment, and
- (ii) follows such course of training or instruction, if any, as the Minister may have prescribed, to fit him or to keep him fit for employment or for re-employment.

(2) A deduction shall be made from the out-of-work benefit of a discharged person for any period equal to the amount of the benefit, if any, which he is qualified or able to qualify to receive for the period under The Unemployment Insurance Act, 1940.

(3) A discharged person shall not be deemed to be disqualified for out-of-work benefit by reason only that he has declined an offer of employment under conditions as described in paragraph (b) of Section 31 of The Unemployment Insurance Act, 1940, or by reason of his refusal of employment the acceptance of which would involve the consequences described in Section 32 of the said Act, and he shall not be deemed to be unemployed for any period or day as described in Section 33 of the said Act, but he shall be disqualified for out-of-work benefit in the circumstances defined in Section 43 of the said Act.

6. (1) The Minister may, subject to the provisions of paragraph 10 hereof, order the payment of a grant to a discharged person at a rate not exceeding \$13 per week if he is a married person and \$9 per week if he is not a married person, if

- (i) such person is pursuing vocational, technical or other educational training;
- (ii) the Minister approves such training as being training which will fit him or keep him fit for employment or re-employment or will enable him to obtain better or more suitable employment, and
- (iii) he makes progress in such training to the satisfaction of the Minister.

(2) The Minister may diminish the grant aforesaid in any case by such amount as to him seems right by reason of any pension, wages, salary, or other income such person may have received or may be entitled to

receive for such period, and in no case shall the amount of the grant, together with his income from all sources, including any pension, exceed the rate of training allowance under Clause 20 of Order in Council P.C. 91, dated January 16, 1936, as amended.

7. The Minister may, subject to the provisions of paragraph 10 hereof, order that a discharged person be paid a grant for any week or part thereof during which

- (i) he engages in agricultural or other enterprise on his own account and is awaiting returns from such enterprise, or he is temporarily incapacitated from accepting work or from taking training by reason of a non-pensionable disability, and
- (ii) the Minister is of the opinion that, having regard to the special circumstances of the case, the grant will prove effective in re-establishing him,

at a rate not exceeding \$13 per week if he is a married person and \$9 per week if he is not a married person, diminished by such amount, on account of any pension, wages, salary or other income such discharged person may have received or be entitled to receive in respect of such period, as to the Minister seems right.

8. In case any discharged person

- (a) has been regularly admitted to a university before his discharge, or is regularly admitted to a university either within
 - (i) one year from his discharge, or
 - (ii) one year from the commencement of the university year, or of the course which he is pursuing, next following his discharge, if such discharge precedes such commencement by not more than three months.

and

- (b) resumes a course, academic or professional, interrupted by his service or commences any such course, in such university, within one year and three months after his discharge or within such longer period as may be necessary to enable him to complete his university matriculation or as may arise on account of his ill-health or on account of other good cause shown to the satisfaction of the Minister,

the Minister may, subject to the provisions of paragraph 10 hereof, order that he be paid a grant for any week or part thereof during which he pursues such course, at a rate not exceeding \$13 per week if he is a married person and \$9 per week if he is not a married person, diminished by such amount, on account of any pension, wages, salary, or other income such person may have received or be entitled to receive in respect of such period, as to the Minister seems right, but the grant shall not be continued to any such person who fails in more than two classes or subjects in any academic year, nor to any such person who having failed in either one or two classes or subjects also fails in either or both supplementary examinations next offered by the university in such classes or subjects.

9. In case any discharged person

- (a) has entered upon a post-graduate course, either academic or professional, in a university before enlistment, or was about to do so at the time of his enlistment, or, having completed his under-graduate course in a university after his discharge, enters upon a post-graduate course as aforesaid, and

- (b) resumes or commences such post-graduate course within
- (i) one year from his discharge, or
 - (ii) one year from the commencement, next following his discharge, of such course in such university, if his discharge precedes such commencement by not more than three months, or
 - (iii) in the case of a discharged person who completes his undergraduate course after his discharge, as soon as may be after such completion.

if the Minister having considered such person's attainments and his course, deems it in the public interest that he should continue such course, the Minister may, subject to the provisions of paragraph 10 hereof, order that he be paid a grant for any week or part thereof during which he continues such course at a rate not exceeding \$13 per week if he is a married person and \$9 per week if he is not a married person, diminished by such amount, on account of any pension, wages, salary or other income such person may have received or be entitled to receive in respect of such period, as to the Minister seems right.

10. (1) No person shall be paid out-of-work benefit under paragraph 5 hereof for his first nine days of unemployment whether continuous or not, after any period for which he may have been paid a rehabilitation grant.

(2) No grant shall be paid to any discharged person under paragraphs 5, 6 and 7 hereof for any period or periods

- (i) for which he may have been paid a rehabilitation grant, or
- (ii) more than 18 months after his discharge,

and the total period for which he may receive out-of-work benefit or grants hereunder, together with any period for which he may have received or be entitled to receive unemployment insurance benefit under The Unemployment Insurance Act, 1940, within the said period of 18 months, shall not exceed his period of service nor shall it in any case exceed fifty-two weeks.

(3) No grant shall be paid to any discharged person under paragraphs 8 and 9 hereof for any period or periods for which he may have been paid a rehabilitation grant, nor shall he be paid any grant under the said paragraphs if the total period for which he has received out-of-work benefit or grants hereunder, or unemployment insurance benefit under The Unemployment Insurance Act, 1940, exceeds in all his period of service, unless

- (i) in the case of a person who has been in receipt of a grant under paragraph 8 hereof, his progress and attainments in his course are such that the Minister deems it in his interest and in the public interest that the grant should be continued, and
- (ii) in the case of a person in receipt of a grant under paragraph 9 hereof, his progress and achievements are so outstanding that, in the Minister's opinion, it is important in the public interest that the grant should be continued.

11. Where a grant is being paid to a discharged person under the provisions of paragraph 6, 8 or 9 hereof, the Minister may order that a payment be made on his behalf not exceeding the tuition fees, students' fees and athletic fees or other charges and costs of his course.

12. Not more than one grant may be paid to any person under this Part for any period, nor shall any grant be paid to any person for any period for which he is paid out-of-work benefit hereunder or unemployment insurance benefit under The Unemployment Insurance Act, 1940.

13. Any payment under this Part during the year ending March 31, 1942, shall be made from and out of the War Appropriation of the Consolidated Revenue Fund, and any such payment thereafter shall be made out of moneys provided for the purpose.

14. (1) Notwithstanding anything in this Part contained, the Minister may, for any reason which he deems sufficient, refrain from ordering that any payment be made under this Part.

(2) On new facts being brought to his attention, the Minister may make an Order under this Part in a case where he has previously refused to do so, or he may rescind or amend any order which he has made under this Part. Otherwise, his decision shall be final.

PART III

15. Any discharged person who completes fifteen weeks in insurable employment under The Unemployment Insurance Act, 1940, within any period of twelve months, whether continuous employment or not, shall, for the purpose of the said Act, be deemed

- (a) to have received unemployment insurance benefit under the said Act for a continuous period (hereinafter in this paragraph referred to as "benefit period"), immediately prior to the commencement of such fifteen weeks, equal to the period, if any, for which he received out-of-work benefit under Part II hereof, together with the proportion of any period for which he received a grant under Part II hereof which the amount of such grant per week bears to \$13 if he was a married person and \$9 per week if he was not a married person, but not exceeding in total in any case three-fifths of his period of service after July 1, 1941, and
- (b) to have been in insurable employment immediately prior to the commencement of the said benefit period for a period equal to his service after July 1, 1941,

and the said insurable employment shall be deemed to have been continuous as nearly as may be without being contemporaneous with any period during which the said person actually was in insurable employment under the said Act prior to the said benefit period.

16. As soon as may be, after The Unemployment Insurance Commission ascertains that a discharged person has completed fifteen weeks in insurable employment as aforesaid, there shall be credited to the Unemployment Insurance Fund out of the War Appropriation of The Consolidated Revenue Fund if such credit is made during the year ending March 31, 1942, and out of moneys appropriated for the purpose if such credit is made thereafter, the amount of the combined employer's and employed person's contribution under The Unemployment Insurance Act, 1940, for a period equal to the difference between his period of service after July 1, 1941, and one and two-thirds of the period for which, under subparagraph (a) of paragraph 15 hereof, he is deemed to have been in receipt of unemployment insurance benefit, and the rate of the said combined contribution shall be the average of the contributions shown by such person's unemployment book to have been paid by him and on his behalf for the said fifteen weeks; and for the purpose of the said Act, the said discharged person shall be deemed to have been bona fide employed in insurable employment during the said period of service and all contributions shall be deemed to have been paid under the said Act in respect of the said discharged person during the said period of service.

17. If on making any report on the financial condition of the Unemployment Insurance Fund the Unemployment Insurance Advisory Committee finds that the said Fund has been adversely affected by reason of the provisions of paragraphs 15 and 16 hereof, the Committee shall in its statutory report state the amount and the manner in which the said Fund has been adversely affected as aforesaid, and the Governor in Council may on receipt of said report take into consideration immediate measures to remedy any depletion of the said Fund due to the operation of this Order which depletion shall have been established by the aforesaid report of the Unemployment Insurance Advisory Committee.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing pay and allowances for the Canadian Women's Auxiliary Air Force

P.C. 3/7635

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 1st October, 1941.

The Board have had under consideration a memorandum of the Honourable the Minister of National Defence for Air reporting that:—

- (1) Order in Council P.C. 4798 of July 2nd, 1941, authorized the formation of the Canadian Women's Auxiliary Air Force as a component of the Royal Canadian Air Force.
- (2) Approval of the principles of pay and allowances for the personnel of the Canadian Women's Auxiliary Air Force is immediately necessary in order to proceed to recruiting.
- (3) A detailed submission in regard to necessary amendments to regulations will be submitted as early as possible.

In order that recruiting of personnel may not be delayed, the Board recommend that the following principles of pay and allowances for the Canadian Women's Auxiliary Air Force be approved:—

- (a) Pay—at two-thirds of that for males of the Royal Canadian Air Force to the nearest 5 cents up, but the senior officer's rank for which a rate of pay is provided, to be that corresponding to Wing Commander, except for Medical Officers who will be paid as provided in (b).
- (b) Pay of Medical Officers to be at the same rates as for male Medical Officers of the Royal Canadian Air Force.
- (c) The following allowances to be paid at the same rates as for males of the Royal Canadian Air Force:—
 - (1) Subsistence allowance.
 - (2) Officer's outfit gratuity.
 - (3) Warrant Officer's outfit gratuity.
 - (4) Transport and travelling allowances.

- (5) Civilian clothing allowance.
 - (6) Funeral allowances.
 - (7) Shipment of personal effects at public expense.
- (d) Dependents' Allowances not to be issuable in respect of personnel of the Auxiliary Women's Air Force, and Dependents' Allowances previously in issue to such personnel to be suspended during service.
- (e) The following allowances for underclothes, toilet articles and necessities to be paid other ranks:
- | | |
|----------------------------|---------|
| On enlistment | \$15 00 |
| Quarterly (in arrear)..... | 3 00 |
- (f) Rehabilitation Grant to be paid on the same basis as for males of the Royal Canadian Air Force.
- (g) Exemption from Income Tax and National Defence Tax to be granted on the same basis as for males of the Royal Canadian Air Force.

The Board further recommend that detailed amendments to the financial regulations in accordance with the above principles be submitted for approval at the earliest possible date.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing regulations respecting payment of pensions to members of the Canadian Women's Army Corps and the Canadian Women's Auxiliary Air Force

P.C. 4/7635

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 1st October, 1941.

The Board had under consideration the following memorandum from the Honourable the Minister of Pensions and National Health:—

“The undersigned, with the concurrence of the Minister of National Defence and the Minister of National Defence for Air, has the honour to report:

That by reason of the present war with the German Reich it has been deemed expedient and in the public interest to make provisions for the establishment of a Canadian Women's Army Corps and a Canadian Women's Auxilliary Air Force to serve in an auxilliary capacity to the Military and Air Forces of Canada respectively.

That there is no provision in the Pension Act for the payment of pensions to such members of the aforesaid organizations who, while serving in such organizations during the said war, may suffer injury or disease or aggravation thereof resulting in disability.

The undersigned has therefore, with the concurrence aforesaid, the honour to recommend that Your Excellency in Council, under and by virtue of the War Measures Act, Chapter 206, R.S.C. 1927, and notwithstanding anything to the contrary contained in the Pension Act or in any other act or regulation, be pleased to approve the following regulations:

REGULATIONS

1. In these regulations, unless the context otherwise requires,
 - (a) 'war with the German Reich' means the war waged by His Majesty and His Majesty's Allies against Germany and Germany's Allies which for the purposes of these regulations shall be deemed to have commenced on the first day of September, one thousand nine hundred and thirty-nine, the date or dates, as the case may be, of termination of which will be such date or dates, as may be proclaimed by the Governor in Council.
 - (b) 'Canadian Women's Army Corps' means an organization of women established under authority of Order in Council P.C. No. 6289, dated the thirteenth day of August, A.D. 1941, for the purpose of serving, during the war with the German Reich, in an auxiliary capacity to the Military Forces of Canada.
 - (c) 'Canadian Women's Auxiliary Air Force' means an organization of women established under authority of Order in Council P.C. No. 4798, dated the second day of July, A.D. 1941, for the purpose of serving, during the war with the German Reich, in an auxiliary capacity to the Air Force of Canada.
 - (d) 'member of the Canadian Women's Auxiliary Forces' means any person who has served during the war with the German Reich in the Canadian Women's Army Corps or in the Canadian Women's Auxiliary Air Force.

2. Subject to the provisions of these regulations pension shall be awarded, in accordance with the rates set out in the schedule hereto annexed, to members of the Canadian Women's Auxiliary Forces who suffer injury or disease or aggravation thereof resulting in disability while serving in such forces during the war with the German Reich.

3. When a member of the Canadian Women's Auxiliary Forces has seen service in a theatre of actual war during the war with the German Reich pension shall be awardable in accordance with all the relevant provisions of subsection One of Section Eleven of the Pension Act; and when a member of the aforesaid forces has not seen service in a theatre of actual war during the said war pension shall be awardable in accordance with all the relevant provisions of subsection Two of Section Eleven of the Pension Act; provided that the relevant provisions of subsection Three of Section Eleven of the Pension Act shall also apply in any case in which pension may not be awarded under the relevant provisions of the aforesaid two subsections of Section Eleven of the said Act.

4. No pension shall be payable under these regulations to or in respect of any dependent of a member of the Canadian Women's Auxiliary Forces on account of the disability or death of such member.

5. All claims for pension under these regulations shall be dealt with and adjudicated upon by the Canadian Pension Commission in like manner and to all intents and purposes as though such claims were claims under the Pension Act and the member of the Canadian Women's Auxiliary Forces by whom the application for pension is made were, at the time the injury or disease or aggravation thereof resulting in her disability was sustained, a member of the forces as defined by such act and all provisions of the Pension Act which are not inconsistent with these regulations shall apply to every such claim.

6. All payments required to be made under these regulations shall be made from the War Appropriation Vote of Parliament."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

SCHEDULE

SCALE OF PENSIONS FOR DISABILITIES

PERCENTAGE OF DISABILITY—CLASS AND ANNUAL RATE OF PENSION

Rank or Rating of Woman	Class 1 Total 100%	Class 2 99%—95%	Class 3 94%—90%	Class 4 89%—85%	Class 5 84%—80%	Class 6 79%—75%	Class 7 74%—70%	Class 8 69%—65%	Class 9 64%—60%	Class 10 59%—55%	Class 11 54%—50%	Class 12 49%—45%	Class 13 44%—40%	Class 14 39%—35%	Class 15 34%—30%	Class 16 29%—25%	Class 17 24%—20%
\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	\$ c.	
Subaltern or equivalent rank (Army Corps); Section Officer or equivalent rank (Air Force) and all ranks and ratings below... .																	
Junior Commander or equivalent rank (Army Corps); Flight Officer or equivalent rank (Air Force)....	600.00	570.00	540.00	510.00	480.00	450.00	420.00	390.00	360.00	330.00	300.00	270.00	240.00	210.00	180.00	150.00	
Senior Commander or equivalent rank (Army Corps); Squadron Officer or equivalent rank (Air Force).....	666.66	633.33	600.00	566.66	533.33	500.00	466.66	433.33	400.00	366.66	333.33	300.00	266.66	233.33	200.00	166.66	133.33
Chief Commander or equivalent rank and higher ranks (Army Corps); Wing Officer or equivalent rank and higher ranks (Air Force).....	840.00	798.00	756.06	714.00	672.00	630.00	588.00	546.00	504.00	462.00	420.00	378.00	336.00	294.00	252.00	210.00	168.00
	1,040.00	988.00	936.00	884.00	832.00	780.00	728.00	676.00	624.00	572.00	520.00	468.00	416.00	364.00	312.00	260.00	208.00

Class 18—Disabilities below 20 per cent—All ranks—
A final payment not exceeding \$300.00

Order in Council prohibiting export of articles listed

Canada Gazette (Extra), 8th October, 1941

P.C. 7674

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 4th day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, deemed capable of being converted into or made useful in the production of arms, ammunition, or military, naval and air stores, in addition to those articles enumerated and described in Schedule One of Order in Council P.C. 4366 of June 17, 1941 (as added to from time to time), in order to carry out more effectively the regulations respecting Trading with the Enemy, 1939, and to conserve supplies of commodities required for Canadian and United Kingdom requirements;

And whereas the Minister of Agriculture has recommended that Order in Council P.C. 1/1560 of March 4, 1941, be rescinded, the Agricultural Commodities affected being included in Schedule One hereto;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Trade and Commerce and under and by virtue of the power conferred by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937), and by the War Measures Act (Chapter 206, Revised Statutes of Canada, 1927) is pleased to order as follows:—

1. Orders in Council P.C. 4366 of June 17, 1941; P.C. 5678 of July 30, 1941; P.C. 6040 of August 8, 1941; P.C. 6157 of August 12, 1941; P.C. 6685 of August 26, 1941; P.C. 6932 of September 2, 1941; P.C. 6951 of September 2, 1941; P.C. 7222 of September 12, 1941; P.C. 7519 of September 25, 1941; and P.C. 1/1560 of March 4, 1941 are hereby revoked, effective on and after the fifteenth day of October, one thousand nine hundred and forty-one.

2. On and after the said fifteenth day of October, one thousand nine hundred and forty-one, the export of any of the articles enumerated and described in Schedule One hereto is hereby prohibited, except under permit issued by or on behalf of the Minister of Trade and Commerce.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

NOTE.—Schedules published as an Extra of the *Canada Gazette*.

**Order in Council authorizing further provision for the payment
of minimum wage rates**

Canada Gazette (Extra), 15th October, 1941

P.C. 7679

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 4th day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports that it is necessary in the interests of industrial peace and the furtherance of the war effort to make more effective provision for the payment of minimum wage rates by contractors and sub-contractors engaged in the manufacture of supplies for the Government of Canada;

And whereas the Minister of Labour, after consultation with the provincial Ministers of Labour and with the concurrence of the Minister of Munitions and Supply and the Labour Co-ordination Committee, recommends that Order in Council dated 30th May, 1941 (P.C. 3884), be rescinded and a new Order made, as hereinafter set forth;

Now, therefore, His Excellency the Governor General in Council is pleased to revoke Order in Council P.C. 3884 of 30th May, 1941, and it is hereby revoked, effective October 15, 1941.

His Excellency in Council, under and by virtue of the War Measures Act (Chapter 206, R.S.C. 1927), is further pleased to order and doth hereby order as follows:—

1. As used in this order, unless the context otherwise requires,
 - (a) "Minister" means the Minister of Labour or his duly authorized representative.
 - (b) "Contractor" means any person, firm, or corporation manufacturing munitions of war or products of any nature under any contract, including contracts entered into prior to and still in force on the effective date of this order, with the Government of Canada, or any agency thereof, whether in its own behalf or on behalf of any other Government or agency thereof.
 - (c) "Subcontractor" means any person, firm, or corporation to whom any part of the work of any such contract is sublet directly or indirectly.
 - (d) "Establishment" means any premises in which any part of the work of any such contract is performed.

2. No contractor or subcontractor shall employ any person, other than an apprentice being trained under an approved long term indenture or other formal written agreement or a handicapped worker employed under special permit issued by the Minister, in any establishment at less than the following minimum wage rates:

- (a) For male employees eighteen years of age or over, except with respect to beginners as hereinafter provided, and for any employee regardless of sex or age who holds a certificate of graduation

from a recognized pre-employment school under Canada's War Emergency Training Programme and is employed in the work for which trained, 35 cents an hour;

- (b) For female employees eighteen years of age or over, except with respect to beginners as hereinafter provided, 25 cents an hour;
- (c) For male or female employees less than eighteen years of age, 20 cents an hour;
- (d) For male beginners without previous experience in the trade or industry

20 cents an hour for the 1st 4 weeks of employment,
25 cents an hour for the 2nd 4 weeks of employment,
30 cents an hour for the 3rd 4 weeks of employment, and
35 cents an hour thereafter;

- (e) For female beginners without previous experience in the trade or industry

20 cents an hour for the 1st 4 weeks of employment, and
25 cents an hour thereafter;

3. No contractor or subcontractor shall at any time, except by written permission of the Minister, employ more than twenty per cent of the total number of employees in any establishment at the beginners' rates provided in subsections 2 (d) and 2 (e) hereof.

4. For the purpose of determining the minimum wage rate of any beginner pursuant to subsections 2 (d) and 2 (e) hereof, any period of training which such beginner attended of less than eight weeks under Canada's War Emergency Training Programme certified by the director of the school or training centre shall be counted as an equivalent period of employment.

5. If the Minister finds that any contractor or subcontractor has employed any person at less than the applicable minimum wage rate herein prescribed or has otherwise failed to pay all wages properly payable, he shall determine the amount of wages payable but unpaid and, unless the contractor or subcontractor on demand delivers a cheque payable to the Receiver General of Canada for the full amount so determined, shall notify the department or agency of the government concerned with the contract, which shall withhold payment of such amount from the contractor and shall deliver a cheque for the required amount to the Deputy Minister of Labour for the settlement of claims for such wages in the same manner as provided by the Regulations made by Order in Council dated 25th November, 1940 (P.C. 6801).

- 6. (a) Every contractor and subcontractor shall keep in his establishment a true and correct record of the wages paid to and the hours worked each day by each of his employees, together with a register of the names, addresses and ages, if under twenty-one years, of all his employees.
- (b) Every contractor and subcontractor shall furnish such returns showing the number of employees, wage rates, hours of labour and related matters as the Minister may prescribe.
- (c) Every contractor and subcontractor shall post and keep posted conspicuously in his establishment such placards about wage rates and related matters as the Minister may prescribe.

7. Any contractor or subcontractor, or officer or agent thereof, who fails to comply with any regulation so made or with any provision of this

order shall be guilty of an offence and liable on summary conviction to a fine of not more than \$200 for the first offence, and not less than \$500 or more than \$1,000 for the second offence, and not less than \$1,000 for any subsequent offence.

8. This order shall come into force and have effect on, from and after the fifteenth day of October, one thousand nine hundred and forty-one.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending the National War Services Regulations, 1940
(Recruits) Consolidation 1941—P.C. 1822, March 18, 1941**

Canada Gazette (Extra), 7th October, 1941

P.C. 7680

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 4th day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of National War Services and pursuant to the provisions of the National Resources Mobilization Act, 1940, and The War Measures Act, is pleased to amend the National War Services Regulations, 1940 (Recruits) (Consolidation 1941), as established by Order in Council P.C. 1822 of March 18, 1941, and they are hereby amended as set out in the Draft annexed hereto.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

DRAFT AMENDMENTS TO NATIONAL WAR SERVICES REGULATIONS, 1940 (RECRUITS) (CONSOLIDATION 1941)

Section 4, subsection (3):

Add the following new sentence:

"Henceforth, unless otherwise stated, the age class of any man shall be termed that of the year in which he was born."

Section 8, subsection (2):

Add the following new sentence:

"In the absence of any member of a Board appointed by the Governor in Council under these Regulations, the Minister may appoint an *ad hoc* member to act for the duration of such absence."

Section 9, subsection (4):

Delete and substitute the following:

"(4) After having made such selection, the Divisional Registrar shall serve each man so selected or cause him to be served, either

personally or by registered post, with a notice, in prescribed form, requiring him to submit himself for medical examination, within three clear days, to any one of the nearest duly appointed examining physicians in the Administrative Division in which the man so selected resides, and, if the man is found fit for military training, and his period of military training has not been ordered postponed by the Board, the Divisional Registrar shall serve such man or cause him to be served, either personally or by registered post, with a notice, in prescribed form, requiring him to report for training at a military training centre at a time and place to be indicated to him by the Divisional Registrar, to be trained in accordance with the orders and regulations of or relating to the Department of National Defence. The Divisional Registrar shall issue necessary instructions respecting medical examinations and shall issue warrants for transportation and/or meals and/or lodgings as required."

Section 10, subsection (1):

Add the following new sentence:

"The dependent or dependents, if the man applies under subsection (10) of section eight, or the man's employer if he applies under section fourteen or fifteen of these Regulations, may support the man's application in writing to the Divisional Registrar concerned within eight clear days of the date appearing on such 'Notice—Medical Examination'."

Section 12, subsection (2):

Add the following new sentence:

"Similarly, if so notified by the Divisional Registrar, the man shall report for another examination by such examining physician as the Divisional Registrar may designate."

Section 14 (title):

Delete and substitute the following:

"SEASONAL AND ESSENTIAL OCCUPATIONS"

Subsections (1), (2) and (3)—delete and substitute the following therefor:

"(1) When considering any application made in accordance with Section 10 hereof, the Board before which the application is made shall have power to grant an advancement or postponement order when it is of the opinion that it is in the national interest to do so and, in granting such order, the Board shall state the reasons for such opinion. No postponement order may be made for more than six months but, upon reviewing the application, the Board may grant one or more extensions; Provided that the Board may cancel the order at any time for military reasons or for cause. Provided further that there shall be no exemption and no indefinite postponement of military training or service.

(2) When considering an application for postponement order by a man engaged in farming, fishing, lumbering, trapping, mining, placer mining, gold prospecting, seafaring, railroad transportation, public utility, or engaged in an occupation which the Minister has declared to be a seasonal occupation, or one essential to the successful prosecution of the war or in the national interest, the Board shall take into account the supply of labour available and the importance of the particular applicant's occupation to the national economy."

Section 16:

Add the following new subsection:

“(3) Except for urgent or exceptional reasons the Board shall not grant postponement orders later than fourteen days before the date of the beginning of the next military training period.”

Section 17:

Add the following new subsection:

“(10) The Board may grant a postponement order to a student who has registered at a Canadian University or College to follow a course leading to a degree or diploma and who has been accepted by the University or College authorities. If in the national interest, the Board may grant a postponement order to a registered and accepted student of a University in the United States: Provided the Board is satisfied that the man will return to Canada when notified to do so by the Board. Provided further that such postponement order will be subject to cancellation at the pleasure of the Board.”

Section 21:

Delete and substitute the following therefor:

“21. The provisions of the War Measures (Civil Employment Reinstatement) Regulations, 1941, made and established by Order in Council P.C. 4758 dated the 27th day of June, 1941, shall apply to the employer of any man called out under National War Services Regulations, 1940 (Recruits) (Consolidation 1941) in the same manner and to the same extent as they now apply to any person who has left employment to enlist for service in His Majesty’s Forces.”

Section 36:

Delete and substitute the following therefor:

“36. Every person is guilty of an indictable offence and liable to a fine not exceeding five thousand dollars and not less than one hundred dollars or to imprisonment for a term not exceeding five years and not less than six months or to both such fine and such imprisonment and in default of payment of such fine to imprisonment for a further term not exceeding six months who corruptly,

- (a) makes any offer, proposal, gift, loan or promise or gives or offers any compensation or consideration, directly or indirectly, to a member of any Board, an examining physician, or an officer or person concerned in the administration of these regulations or having any duties to perform thereunder on account of any postponement order or certificate of physical or medical unfitness already issued or in order to obtain for himself or any other person such postponement order or certificate of physical or medical unfitness; or,
- (b) being a member of any Board, an examining physician or an officer or person concerned in the administration of these regulations or having any duties to perform thereunder, accepts or agrees to accept or allows to be accepted by any person under his control or for his benefit any such offer, proposal, gift, loan, promise, compensation or consideration.”

Section 37:

Add the following:

“37A. (1) Every person who, prior to or during a period in which he is required by these regulations to undergo military training or to carry out alternative training, service or work,

- (a) malingerers, or
- (b) with intent thereby to render himself unfit for any such training, service or work,
 - (i) wilfully produces in himself any disease or infirmity or aggravates or protracts any disease or infirmity which he may have, or
 - (ii) wilfully maims or injures himself or causes himself to be maimed or injured by any other person,

shall be guilty of an offence and liable upon summary conviction to imprisonment for a term not exceeding twelve months with or without hard labour or to a fine not exceeding \$500 or to both such imprisonment and such fine.

(2) Every person who wilfully maims or injures any other person, whether at the instance of such other person or not, prior to or during a period in which such other person is required by these regulations to undergo military training or to carry out alternative training, service or work, with intent thereby to render such other person unfit for any such training, service or work, shall be guilty of an offence and liable upon summary conviction to imprisonment for a term not exceeding twelve months with or without hard labour or to a fine not exceeding \$500, or to both such imprisonment and such fine."

"37B. Every person who personates a man who is required by these regulations to submit himself for medical examination or to report for military training or for alternative training, service or work, and submits himself for medical examination in such man's place, or reports in his place for military training or for alternative training, service or work, shall be guilty of an offence and liable upon summary conviction to imprisonment for a term not exceeding twelve months with or without hard labour, or to a fine not exceeding five hundred dollars, or to both such imprisonment and such fine."

Order in Council amending regulations respecting General Load Line Rules

P.C. 7816

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 8th day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Transport reports:—

1. That in view of the urgent need for additional cargo-carrying capacity in ships during the present emergency, it is considered that deeper loading, within certain limits, than allowed by the International Load Line Convention, 1930, might be allowed for certain ships.

2. That the Government of the United Kingdom has advised the Government of Canada that with a view to providing the additional cargo-carrying capacity required, the Minister of War Transport in the exercise of the powers conferred on him by the Defence Regulations, 1939 (a), has issued an order allowing deeper loading than allowed by the International Load Line Convention, 1930;

3. That the Government of the United Kingdom, as depositary for the International Load Line Convention, 1930, has asked the Government of Canada, which was a signatory to that Convention, if it would be prepared to make a declaration to the effect that the provisions of the International Load Line Convention, 1930, would be applied to Canadian ships with certain modifications, these modifications to be indicated on the load line certificate of each ship in the form of an endorsement, and that the Government of Canada would accord to ships of any country signatory to the Convention having on board a certificate endorsed to a like effect, whilst in Canadian ports, the same treatment as accorded to ships of Canadian registry with certificates similarly endorsed, whilst in the ports of such country;

4. That the Government of Canada advised the Government of the United Kingdom that it was prepared to make a declaration to the above effect;

Now, therefore, His Excellency the Governor General in Council, considering the grave shortage of shipping to which the present conflict has given rise, and the necessity for making the fullest use of available tonnage, is pleased, on the recommendation of the Acting Minister of Transport and under the provisions of the War Measures Act, Chapter 206, revised statutes of Canada, 1927, and notwithstanding anything contained in the Canada Shipping Act, 1934, to order and doth hereby order and declare as follows:

1. Subject to the restrictions set out below, the provisions of the International Convention shall be applied to ships registered in Canada subject to the following modifications, namely, that ships may be permitted to load

- (a) to their tropical marks instead of their summer marks when the latter are applicable under the provisions of the said Convention;
- (b) to fresh water tropical marks instead of existing tropical marks when the latter are applicable under the provisions of the said Convention.

2. In ports of Canada ships of any country signatory to the International Load Line Convention, 1930, provided that the load line certificates of such ships are endorsed to give effect to deeper loading as shown in paragraphs (a) and (b), shall be accorded the same treatment in every respect as regards deeper loading as is accorded to ships of Canadian registry in the ports of such country.

3. The foregoing modifications shall be indicated on the load line certificate of a ship in the form of an endorsement by the Assigning Authority, who will have the right to require such structural alterations as may be deemed necessary in any particular case as a condition of deeper loading, and the form of endorsement shall be as prescribed by the Minister of Transport.

4. This Order shall have effect only until the 31st day of August, 1942.

RESTRICTIONS

The above Order shall not have effect in regard to the following cases:

- (i) ships when within the area described in the second column of the Second Part of the Third Schedule to the General Load Line Rules, opposite the number 1 in the first column thereof, during the period from the 16th of September to the 15th of October, both dates inclusive.
- (ii) ships marked with timber load lines in accordance with the General Load Line Rules, and carrying timber deck cargoes in accordance with the Regulations for the Carriage of Timber Deck Cargoes, approved by Order in Council of the 5th day of May, 1937, P.C. 1029.
- (iii) ships of 330 feet in length or under when in either of the areas described in the second column of the Second Part of the Third Schedule to the General Load Line Rules, opposite numbers 1 and 2 in the first column thereof.

NOTE.—The load line rules referred to are the "Load Line Rules for ships making International Voyages other than voyages between Canada and the United States of America on any Lakes or Rivers, and Voyages from any place in Canada to any other place in Canada other than on any Lakes or Rivers", approved by Order in Council dated December 18th, 1937, and known as the "General Load Line Rules".

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations Wartime Industries Control Board

Canada Gazette (Extra), 24th October, 1941

P.C. 7824

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 8th day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 6835 dated August 29, 1941, certain regulations were established for the Wartime Industries Control Board;

And whereas the Minister of Munitions and Supply reports that, on the recommendation of the Chairman of the said Board, he considers it desirable and in the public interest that certain amendments should be made to the said Order in Council P.C. 6835;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under and by virtue of the powers conferred on the Governor in Council by the Department of Munitions and Supply Act and by the War Measures Act and otherwise, is pleased to amend the said Order in Council P.C. 6835 and it is hereby amended as follows:—

1. Clause (f) of section 1 is rescinded and the following clause (f) is substituted therefor:

"(f) 'order' except when used in section 13 of these regulations includes regulation, licence, permit, prohibition, requirement, direction, restriction, limitation, instruction and quota, made, given, issued or established by the Minister, or by any Controller or the Board;"

2. Sub-paragraph (1) of section 8 is rescinded and the following sub-paragraph (1) is substituted therefor:

"(1) Notwithstanding the provisions of any other Order in Council, every Controller shall have power, exercisable from time to time subject to the approval of the Chairman, to fix and/or regulate the price and/or markup or to fix the maximum or the minimum price and/or markup at or for which any articles, commodities, substances, goods, services or things over, or in respect to, which such Controller is given authority, jurisdiction or power, may be sold or offered for sale or supplied generally or in any place, area or zone; provided that such power to fix prices and/or markups and also any power vested in any such Controller to establish tables or schedules of fares or fix rates, fees or charges and require the adoption of the same, shall be exercised only with the concurrence of the Wartime Prices and Trade Board, which concurrence shall be in lieu of any approval or concurrence of the Minister of Munitions and Supply with respect to such matters provided for under the provisions of any Order in Council setting forth the duties and powers of any Controller."

3. Section 13 is rescinded and the following section 13 is substituted therefor:—

"13. (1) In this section 13 of these regulations, the words 'Controller's Order' shall mean any order, regulation, prohibition, restriction or limitation made, issued or established by any Controller and which is intended to have general effect throughout Canada or in any part of Canada but expressly excluding any Controller's Order made pursuant to the powers conferred by section 8 of these regulations.

(2) No Controller's Order shall hereafter be made, issued or established by any Controller until the same has been submitted to the Chairman for consideration.

(3) No Controller's Order shall (unless the Minister otherwise directs), be effective unless approved by the Chairman in writing.

(4) The Chairman may, in his discretion, submit any Controller's Order to the Board for consideration.

(5) Every Controller's Order shall also be and remain subject to any limitation or approval thereof fixed or required by the Order in Council conferring upon such Controller the power to make, issue or establish the same.

(6) The provisions of this section 13 of these regulations shall have effect notwithstanding the provisions of any Order in Council heretofore passed."

4. Section 15 is rescinded and the following section 15 is substituted therefor:—

"15. (1) Notwithstanding anything contained in any Order in Council heretofore passed except as provided in paragraph (2) of this section 15 of these regulations, any person who contravenes or fails to

observe any order, or who, in any manner, hinders or obstructs any Controller or the Board in the exercise of his or its powers or the discharge of his or its duties or makes any false statement in any return made pursuant to any order, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five hundred dollars, or to imprisonment for a term not exceeding twelve months, or to both fine and imprisonment but such person may, at the election of the Attorney-General of Canada or of the province in which the offence is alleged to have taken place, be prosecuted upon indictment, and if convicted shall be liable to a fine not exceeding five thousand dollars, or to imprisonment for a term not exceeding five years, or to both fine and imprisonment; and where the person guilty of an offence against any order is a company or corporation, every person who at the time of the commission of the offence was a director or officer of the company or corporation shall be guilty of the like offence unless he proves that the act or omission constituting the offence took place without his knowledge or consent, or that he exercised all due diligence to prevent the commission of such offence.

(2) The provisions of this section 15 of these regulations shall not apply to the contravention of or failure to observe any Order of the Oil Controller and in such case the penalties provided in sections (4) and (5) of the Regulations Respecting Oil, established by Order in Council P.C. 1195 bearing date the 19th day of February, 1941, shall continue to be applicable thereto."

5. The following new sections are hereby added to the said Order in Council to be known as sections 16 and 17 respectively:—

"16. Every Order issued over the signature of any Controller or member of the Board shall be conclusively deemed to have had any approval or concurrence requisite under the foregoing provisions of this Order in Council and no person shall be bound or entitled to inquire as to whether or not such approval or concurrence has in fact been given or obtained.

17. The Chairman, each Controller, Deputy Controller, member of the Board and every person acting for or on behalf of or under the authority of any of them shall not be or become liable to any person for anything done or omitted in the exercise or purported exercise of any power or authority from time to time vested in them respectively."

His Excellency in Council, on the same recommendation, and under the above cited authority, is further pleased to order and doth hereby order that the foregoing amendments to the said Order in Council P.C. 6835 shall be deemed to have come into effect on and be effective as from August 29th, 1941.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing Canadian Women's Auxiliary Air Force Order (No. 1), 1941

P.C. 112/7841

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 9th October, 1941.

The Board had under consideration a memorandum from the Honourable the Minister of National Defence for Air reporting:—

"That by an Order in Council dated 2nd July, 1941, P.C. 4798, Your Excellency in Council granted authority for the formation of a component of the Royal Canadian Air Force to be known as the Canadian Women's Auxiliary Air Force, their function being to release to heavier duties those members of the R.C.A.F. presently employed in administrative, clerical and other comparable types of service employment.

That it is now considered desirable to proceed with the formation of the Canadian Women's Auxiliary Air Force to which formation approval in principle was granted as aforesaid and to make regulations for its organization, government, discipline, pay, clothing and other related matters.

That, by the aforesaid Order in Council dated 2nd July, 1941, P.C. 4798, the said Canadian Women's Auxiliary Air Force will be a component of the Royal Canadian Air Force and, accordingly, the members thereof will, pursuant to Section 11 of the Royal Canadian Air Force Act, be subject to the Air Force Act for the time being in force in the United Kingdom to the extent provided in the said Section 11.

That it is expedient that the application of the Air Force Act to members of the Canadian Women's Auxiliary Air Force be subject to certain limitations and modifications. To that end the undersigned has the honour to recommend that Your Excellency in Council under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927 and notwithstanding the provisions of any other act, law or regulation be pleased to make the following regulations.

REGULATIONS

1. The Canadian Women's Auxiliary Air Force, the formation of which was authorized by Order in Council dated 2nd July, 1941, P.C. 4798, shall be organized in such strength and in such manner as the Minister of National Defence for Air may from time to time prescribe.

2. The Minister of National Defence for Air may make such orders for the government, discipline, pay, clothing and other related matters in respect of the Canadian Women's Auxiliary Air Force as from time to time he deems necessary and expedient, provided that any expenditure thereby occasioned shall be subject to the approval of the Governor in Council.

3. The Air Force Act for the time being in force in the United Kingdom, to the extent to which by Section 11 of The Royal Canadian Air Force Act the said Act is made applicable to the Royal Canadian Air Force shall apply to the Canadian Women's Auxiliary Air Force and all members thereof, subject to such limitations and modifications as the Minister of National Defence for Air may from time to time prescribe.

4. This Order may be cited as the Canadian Women's Auxiliary Air Force Order (No. 1) 1941, and shall be deemed to have come into force and operation as of the 2nd day of July, 1941."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council extending provisions of The Merchant Seamen Order, 1941

P.C. 7891

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 11th day of October, 1941.

PRESENT:

HIS EXCELLENCE

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Order in Council dated 19th May, 1941, P.C. 14/3550, authorized the establishment of Manning Pools to provide adequate accommodation on shore in Canadian Ports for merchant seamen;

And whereas the Minister of National Defence for Naval Services reports that, in the present emergency, it is essential in the public interest and to the efficient prosecution of the war that provision whereby there can be taken in respect of any seaman accommodated in a manning pool, who refuses to go to sea on a ship of his own nationality, or in any other ship to which he might be assigned, or who engages in activities likely to cause delay in the departure of any ship, such action as will prevent delay in the departure of any ship and which will serve as a deterrent to other such seamen who may contemplate like activities; and

That, for the foregoing purpose, it is desirable to extend the provisions of The Merchant Seamen Order, 1941, as made and established by Order in Council dated the 4th day of April, 1941, P.C. 2385, to persons while carried on the strength of manning pools established as aforesaid;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence for Naval Services, and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Act or law, is pleased to amend The Merchant Seamen Order, 1941, and it is hereby amended as follows:—

Paragraph 2 is amended as follows:

Clause (d) is deleted and the following substituted therefor:

"(d) 'seamen' means and includes the Master, officers, members of the crew and staff, lawfully engaged to serve on board a ship, and persons carried on the strength of a manning pool."

The following is added as Clause (f):

"(f) 'manning pool' means and includes all seamen's manning pools in Canada established under and by virtue of Order in Council dated the 19th day of May, 1941 (P.C. 14/3550)."

Paragraph 21 is deleted and the following substituted therefor,—

“21. A board on its own motion or at the request of the Director or person in charge of a manning pool may inquire into the conduct of any seaman carried on the strength of a manning pool:

- (a) who is alleged to be responsible, or likely to be responsible for causing delay in the departure of a ship;
- (b) who deserts, or is absent without leave in Canada from his ship, or the manning pool to which he belongs;
- (c) who refuses to sail on a ship;
- (d) who is reported by the Master, or Agent of a ship for refusing to perform his regular duties on board such ship;
- (e) who is alleged to have induced, or attempted to induce, other seamen to interfere in any way with the proper operation of their ship, or a manning pool;
- (f) who is suspected of carrying on any subversive activities, whether on board a ship or otherwise;

and such Board may, after such inquiry, make proper orders or recommendations in the same manner and to the same extent as provided in the last four preceding paragraphs.”

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council amending description War Service Badge, Service Class

P.C. 7892

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 11th day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 1022 dated 29th March, 1940, as amended by Order in Council P.C. 6808, dated 25th November, 1940, authority was granted to establish a War Service Badge, Service Class, for issue to members of the Naval, Military or Air Forces of Canada who have declared their willingness, or who have engaged to serve in any of the said forces on active service beyond Canada and Overseas, during the present war, and who have honourably ceased to serve on active service

- (1) After not less than three months of continuous paid service;
- (2) By reason of physical disability;

And whereas the Minister of National Defence reports that it is now desired that:

- (i) The aforementioned badge be issued to all such personnel who have been honourably discharged from the Armed Forces regardless of length of service of such personnel;
- (ii) The Badge be redesignated as the War Service Badge, “General Service” Class;
- (iii) The description of the badge be amended to provide certain changes thereto;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence, is pleased to amend and doth hereby amend the said Order in Council P.C. 1022 of 29th March, 1940, as follows:

- (a) By inserting in the third paragraph of the said Order in Council, immediately after the words "War Service Badge", and before the words "Service Class", the word "General";
- (b) By deleting the text under "Classification" and substituting therefor the following:

CLASSIFICATION

Subject to the regulations herein contained, the following persons shall be eligible for War Service Badges, "General Service" Class, provided that not more than one Badge shall be issued to any one person:

"Members of the Naval, Military or Air Forces of Canada on Active Service who have engaged to serve in any of the said Forces during the present War for General Service (i.e. without restriction as to place of service) and who have served in any of the said Forces in Canada or elsewhere and who have been honourably discharged from said service."

- (c) By inserting the word "General" in the first line of paragraph 3 of the Regulations contained therein immediately after the word "the" and before the word "Service".
- (d) By deleting the description of the Badge as set forth in paragraph 12 of the said Order in Council as amended by Order in Council P.C. 6808 aforementioned and substituting the following therefor:

"War Service Badge, "General Service" Class: a badge of gilding metal or copper finished in silver or rhodium plate with shank and back; a shield charged with three maple leaves, in red enamel, conjoined on one stem; on a panel above, the serial number, stamped; the whole surmounted by a crown; and underneath on a scroll, in blue enamel, the words "General Service". And having on the back in raised letters: "Penalty for Misuse 500 Dollars or Six Months Imprisonment". Height $\frac{7}{8}$ inch. Width $\frac{9}{16}$ inch."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing "Applicant for Enlistment" Badge

Canada Gazette, 22nd November, 1941

P.C. 7893

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 11th day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of National Defence reports that during the present state of emergency many public minded citizens have voluntarily declared their willingness to serve in or beyond Canada in the Military Forces of Canada;

That the Government of Canada was not able to accept the services of many such citizens by reason of their not possessing, due to no faults of their own, the necessary qualifications then required for enlistment in the Naval, Army and Air Forces of Canada, and it is now considered desirable that the said persons should be provided with some emblem or badge appropriate for wearing with civilian clothing which would indicate that they had so volunteered their services;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence, and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding any other Act, Law or Regulations, is hereby pleased to authorize an "Applicant for Enlistment" Badge, and to approve the classification and regulations pertaining to said Badge as set out hereunder:

CLASSIFICATION

Subject to the regulations herein contained the following persons shall be eligible for the "Applicant for Enlistment" Badge:

Persons who have voluntarily declared their unqualified willingness to serve in and beyond Canada in the Military Forces of Canada, and who are refused enlistment by reason of their not possessing, due to no faults of their own, the necessary qualifications then required for enlistment in the Naval, Army and Air Forces of Canada.

REGULATIONS

1. Badges for this class shall be distributed and issued in such manner as may be directed by the Minister of National Defence.

2. Every badge so issued shall bear a serial number for the purpose of identification.

3. (a) The "Applicant for Enlistment" Badge shall only be issued to a person within the age limit for enlistment in the Naval, Army or Air Forces of Canada who has applied for enlistment, and has been rejected as not possessing, due to no fault of his own, the necessary qualifications then required for enlistment in the Naval, Army or Air Forces of Canada, and has voluntarily made a sworn declaration of his willingness to enlist in the Military Forces of Canada for service in and beyond Canada whenever His Majesty shall require his services during the present war.

(b) Should a person have presented himself for enlistment in the Naval or Air Forces of Canada and have been rejected on account of not possessing the necessary qualifications for enlistment, in order to be eligible for the badge, he shall be required to present himself for enlistment in the Military Forces of Canada and be refused enlistment therein due to his not so possessing the necessary qualifications.

4. Any person whose ineligibility for enlistment is due to a deformity, disability or a disease which is obvious shall not be entitled to the grant of an "Applicant for Enlistment" Badge.

5. Applications for the "Applicant for Enlistment" Badge shall be made on such form as is prescribed by the Minister of National Defence and eligibility shall be established by reference to the original personal documents of the applicant with such further examination as may be considered necessary at the time of application to enable the question of qualification for the badge to be determined.

6. With each badge shall be issued a certificate in the form prescribed by the Minister of National Defence numbered serially, to the effect that the person mentioned therein is entitled to wear the badge bearing the corresponding number; such certificate shall contain particulars respecting the person to whom it is issued, and the reason for its issue.

7. The aforementioned certificate shall be surrendered when called for by the Minister of National Defence pending examination to ensure that the said certificate remains in the possession of the person to whom the badge has been issued, and if he is then found to be eligible for enlistment in the Naval, Army or Air Forces of Canada, the certificate shall be withheld and the Badge will be surrendered.

8. (a) A volunteer who has made the aforementioned sworn declaration of his willingness to enlist, on the lowering of the medical standards for enlistment or for any other reason, shall present himself for enlistment on being so required by a competent military authority.

(b) If a volunteer fails to so present himself for enlistment within three days after being so required, he shall forfeit his badge and certificate, unless he can show due cause for delay.

9. Every person wearing or having in his possession one of the said badges shall carry the corresponding certificate mentioned in Section 5, as evidence of his right to wear the badge, and shall on the request of any commissioned officer, or police constable, or peace officer, produce the said certificate for inspection and identification. Any irregularity will be reported with particulars of the case to the local police for investigation and to the Officer Commanding the Military District.

10. No person other than one duly authorized as aforesaid, shall wear any badge issuable under these Regulations, or any badge so nearly resembling the same as to be likely to deceive or any other badge purporting to show that the wearer comes within the classification set forth in paragraph 3 hereof.

11. Every person who by false representation or mis-statement obtains or attempts to obtain any badge or certificate issuable under these Regulations either from the authorities charged with the issue of the same or from any person to whom said badge and certificate may lawfully have been issued shall be guilty of an offence under these Regulations.

12. Every person to whom any badge or certificate has been issued under these Regulations who defaces or alters any such badge or certificate, or who sells, pledges, or otherwise disposes of, or attempts to sell, pledge, or otherwise dispose of such badge or certificate, and, every person who thereby obtains possession of such badge or certificate shall be guilty of an offence under these Regulations.

13. Any person losing either his badge or certificate shall forthwith report such loss to the Secretary, Department of National Defence, and, if circumstances so warrant, a new badge or certificate may be issued in replacement thereof.

14. For the purpose of the trial of a person charged with committing an offence under these Regulations, such offence shall be deemed to have been committed either at the place in which the same actually was committed or at any place in Canada in which the offender may be found.

15. Any person violating or infringing any of the provisions of these Regulations shall be liable, on summary conviction, under the provisions of

Part XV of the Criminal Code, to a fine not exceeding five hundred (\$500), or to imprisonment for a period not exceeding six (6) months. Upon the prosecution of any person for illegally wearing the badge herein approved, the production of the authority mentioned in Section 5 herein shall be *prima facie* proof that the accused is entitled to wear same, but in the absence of such certificate the onus of proof shall be upon the accused.

16. The following shall be the form of badge authorized under this Order in Council:

"Applicant for Enlistment" Badge: a badge of gilding metal or copper finished in silver or rhodium plate with shank and back; within an oval annulus inscribed "Applicant for Enlistment" "Canada"; a maple leaf in red enamel. The serial number stamped on reverse, together with the words in raised letters: "Penalty for Misuse 500 Dollars or Six Months Imprisonment." Height $\frac{1}{8}$ inch. Width 23/32 inch."

17. Until published in the *Canada Gazette*, with the consent of the Minister of National Defence, these Regulations shall have no force and effect, and upon being so published in the *Canada Gazette*, these Regulations shall be deemed to have come into force and effect on the 1st September, 1939.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing penitentiaries to employ men of military age

P.C. 7986

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by The Deputy of His Excellency the Governor General on the 15th October, 1941.

The Committee of the Privy Council have had before them a report, dated 26th August, 1941, from the Minister of Justice, representing:—

That in 1933 the Penitentiary Act was amended to the effect that guards, trade instructors and other subordinate officers and employees of Penitentiaries shall be appointed, on the recommendation of the Warden concerned, by the Department of Justice, and, since that date, the appointment of such personnel has not come within the jurisdiction of the Civil Service Commission;

That the Penitentiary Service is such that the custodial staff is required to be in first-class physical condition in order to perform satisfactorily the duties required of them;

That Regulation 491 (a) of the Penitentiary Regulations provides that "no person shall be eligible for appointment as a guard who has not reached his 21st birthday at the date of application or who has passed his 35th birthday." Paragraph (b) of that regulation makes an exception with respect to persons with overseas active service;

That recently the said Regulation 491 (a) was modified by extending the age limit from thirty-five to forty-five years for married men, and the policy is at present to employ only married men, other than those who were married on or after July 15th, 1940; but, it is possible that circumstances may arise where it will be necessary, through lack of suitable married candidates, to employ an unmarried person;

That Penitentiaries are at present located in New Brunswick, Quebec, Ontario, Manitoba, Saskatchewan and British Columbia and vacancies in the custodial staffs are filled as a rule from applicants residing in the province wherein the particular Penitentiary is located;

That by Order in Council P.C. 4759 of June 27th, 1941, restrictions were placed upon the appointment of male employees in the Public Service and it is not considered that such restrictions should apply to the staffs of the Penitentiaries as these staffs are required to be in first-class physical condition, and as the selection of applicants for these positions should be made by the Wardens in view of the nature of the duties required to be performed by such staffs.

The Minister, therefore, recommends that the appointments to positions in the Penitentiaries be exempted from the provisions of Order in Council 4759 of June 27th, 1941.

The Committee concur in the foregoing recommendation and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Defence of Canada Regulations (Consolidated)
1941—cameras in protected places**

Canada Gazette (Extra), 27th October, 1941

P.C. 7987

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 15th day of October, 1941.

PRESENT:

The Deputy of

HIS EXCELLENCE

THE GOVERNOR GENERAL IN COUNCIL:

Whereas regulation 18 of the Defence of Canada Regulations (Consolidated) 1941, prohibits the making or publishing without authority of any photograph of a protected place or any object therein, or of any area specified by a competent authority in relation to which the restriction of photography appears to be expedient;

And whereas the Minister of Justice reports that difficulties have arisen through persons entering or being near such protected place or area with cameras and it is considered advisable to prohibit the taking of cameras in such place or area;

Now, therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, and pursuant to the provisions of the War Measures Act, chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend and doth hereby amend the Defence of

Canada Regulations (Consolidation) 1941, made by Order in Council P.C. 5295 of the 15th July, 1941, by revoking regulation 18 and substituting therefor the following:—

“18. (1) Subject to any exemptions for which provision may be made by order of a competent authority, no person shall, except under the authority of a written permit granted by or on behalf of a competent authority,—

(a) make or publish any photograph, sketch, plan or other representation

(i) of a protected place, or of any part or object in a protected place, or of an object of any such description as may be specified by order of a competent authority; or

(ii) of, or of any part of or object in, any area in Canada as may be specified by order of a competent authority, being an area in relation to which the restriction of photography appears to that competent authority to be expedient in the interests of the safety of the State.

(b) have a camera with him in any such place or area.

(2) A competent authority may make such orders, and any person acting on behalf of a competent authority may give such special directions, as the said authority or person thinks necessary for securing that photographs, sketches, plans or other representations made under the authority of a permit granted in pursuance of paragraph (1) of this regulation, shall not be published unless and until they have been submitted to, and approved by, such authority or person as may be specified in the order or directions, as the case may be; and a competent authority, or any person acting on its behalf, may, if that authority or person thinks it necessary in the interests of the safety of the State so to do, retain or destroy or otherwise dispose of, anything submitted as aforesaid.

(3) Any camera found in any such place or area as aforesaid contrary to the provisions of this regulation, or any camera found anywhere being used or suspected to have been or to be about to be used for any purpose contrary to the provisions of this regulation, may be seized without warrant by any constable in uniform or by any member of His Majesty's Forces being in uniform and on duty, and any such camera so seized may be disposed of in accordance with the provisions of paragraph (4) of Regulation fifty-eight of these Regulations.

(4) For the purposes of this Regulation, ‘a competent authority’ shall mean the Minister of Justice or the Minister of National Defence.”

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council authorizing remission of customs duty and
excise taxes on goods processed abroad**

Canada Gazette, 25th October, 1941

P.C. 63/7994

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by The Deputy of His Excellency the Governor General in
Council, on the 15th October, 1941.*

The Board recommend that authority be granted under Section 3 of the War Measures Act for the refund or remission of Customs duty and Excise taxes paid or ordinarily payable on munitions and supplies of war, exported from Canada for the purpose of being processed abroad, or to serve as models, when the goods are returned to Canada, provided, however, that Customs duty and Excise taxes shall be payable only in cases where processing has been done, and then only on the cost of the processing, subject to compliance with the following regulations:—

REGULATIONS

(1) That the exported goods shall be marked for identification purposes, or if they do not lend themselves to identification by marks, that they be adequately described and their identity certified in an affidavit by the Canadian exporter;

(2) That the goods shall be exported from Canada under Customs supervision;

(3) That a true invoice, stating the value of the goods in their condition as imported and also showing separately values of the goods in condition as exported from Canada and of the processing abroad, shall be presented at Customs at the Port of Entry, and that the invoice shall be accompanied by a certificate furnished by the company abroad which processed the goods stating that the material in the processed goods is in fact the material received from the Canadian exporter for that purpose, and furnishing the date of exportation from Canada, the number of the export entry and the name of the Canadian Customs port of exportation;

(4) That the authority of the Minister of National Revenue shall be obtained in each case, and that the said Minister may withdraw the privilege granted in any case where undue advantage of the concession herein authorized has been taken or in the event of any irregularity or fraud in connection therewith, and the Minister may make such other regulations as he may deem necessary for the protection of the revenue in giving effect to and carrying out this order.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing pay and allowances to seamen in
Canadian Manning Pools**

P.C. 83/7994

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by The Deputy of His Excellency the Governor General in
Council, on the 15th October, 1941.*

The Board recommend that, under the provisions of the War Measures Act, the following regulations be established to govern rates of pay and allowances to seamen in Canadian Manning Pools:—

1. Pay of British seamen to be calculated on the basis of the minimum rates of pay as laid down by the British National Maritime Board scales, plus war bonus, plus differential pay;
2. Pay of Canadian seamen whilst in a Manning Pool in Canada to be calculated on the basis of the minimum rates of pay, at the Canadian equivalent, of the rates of pay as laid down by the British National Maritime Board scales, but not including war bonus or differential pay;
3. The amount of cash advances drawn by all seamen in a Canadian Manning Pool to be on an equal basis in accordance with the scales of advances recommended, from time to time, by the United Kingdom Authorities;
4. The amount of any allotment issued in favour of dependents in Canada shall not exceed the amount standing to the credit of the officer or rating on the books of the Manning Pool.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council adding Sphagnum Peat Moss to list of commodities
under export control**

Canada Gazette (Extra), 18th October, 1941

P.C. 8025

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 17th day of October, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Trade and Commerce reports that it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, deemed capable of being converted into or made useful in the production of arms, ammunition, or military, naval and air stores, in addition to those articles enumerated and described in Schedule One of Order in Council P.C. 7674 of October 4, 1941, in order to carry out

more effectively the regulations respecting Trading with the Enemy, 1939, and to conserve supplies of commodities required for Canadian and United Kingdom requirements;

Now, therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Trade and Commerce and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937), and by the War Measures Act (Chapter 206, R.S.C. 1927), is pleased to order that, effective on and after 18th October, 1941, Sphagnum Peat Moss be and it is hereby added to Group One of Schedule One of Order in Council P.C. 7674 of October 4th, 1941.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing further provision for payment of freight charges on Western feed grains

P.C. 8067

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by The Deputy of His Excellency the Governor General on the 20th October, 1941.

The Committee of the Privy Council have had before them a report, dated 16th October, 1941, from the Minister of Agriculture, stating:—

That representations have been made by Provincial Departments of Agriculture that feed supplies are insufficient to meet live stock feed requirements, and have urged that action be taken whereby the Dominion Government would assist Eastern farmers in obtaining the necessary Western feed grains and millfeeds at prices which will permit them to maintain live stock production;

That it is essential that adequate supplies of feed be available for live stock in Eastern Canada to insure that the agricultural production necessary for war requirements be produced;

That by Order in Council dated the 25th day of September, 1941, P.C. 7523, Your Excellency, under the authority of the War Measures Act, authorized the Minister of Agriculture to pay one-third of the regular freight charges on Western grains and certain by-products from the milling of wheat shipped into Eastern Canada for use as feed for live stock and poultry;

That it has been ascertained that the authority vested by the said Order in Council did not enable the fullest use to be made of these products when shipped by water to port terminals; that the disposition of such feeds was limited in so far as consumers were concerned as it did not apply to mixed car movements nor with uniform equity to local movements, and dislocated existing trade distribution facilities;

That because of difficulties in administration and accounting in applying the Freight Assistance Policy on a direct one-third of actual transportation costs basis, it is preferable to pay such assistance on a more uniform and more readily calculated basis.

The Minister, therefore, recommends that under the authority of the War Measures Act, the Minister of Agriculture be authorized to pay the freight charges as herein prescribed, viz.:

- (a) on Western Wheat, Oats, Barley and Rye, whole or ground, Wheat, Bran, Wheat Shorts, Wheat Middlings or No. 1 Feed Screenings or No. 2 Feed Screenings shipped or transported in carload lots after October 19th, 1941, from Port Arthur, Fort William or Armstrong, Ontario, to destinations in Canada east thereof and distributed for use exclusively as feed in Canada for Canadian live stock or poultry before July 1st, 1942;
- (b) on not less than thirty tons of whole Western Wheat, Oats, Barley and Rye, or No. 1 Feed Screenings or No. 2 Feed Screenings shipped or transported after August 31st, 1941, from Port Arthur, Fort William or Armstrong, Ontario, to port elevators or flour or feed mills in Canada east thereof when used or converted into and distributed for use exclusively as feed in Canada for Canadian live stock or poultry between October 19th, 1941, and July 1st, 1942;
- (c) on Wheat Bran, Wheat Shorts and Wheat Middlings milled in Eastern Canada from Western wheat shipped or transported after August 31st, 1941, from Port Arthur, Fort William or Armstrong, Ontario, to port elevators or flour mills in Canada east thereof when such Bran, Shorts or Middlings are used and distributed from the manufacturing mill for use exclusively as feed in Canada for Canadian live stock or poultry between October 19th, 1941, and July 1st, 1942;

the sum of \$4.50 per ton when the destination is within the Montreal Freight Rate Zone and the sum of \$4.50 per ton, plus the remainder of the actual through car lot rail freight charges to destinations beyond the Montreal Freight Rate Zone and the actual car lot rail freight charges, but not exceeding \$4.50 per ton to destinations in Northern Ontario in which the local freight rate is less than the Montreal Zone freight rate; provided that one-third of the regular freight charges may be paid on carload lots of Western grains, whole or ground, Wheat Bran, Wheat Shorts, Wheat Middlings, Wheat Screenings, and Millfeeds produced in Eastern Canada from Western wheat, shipped between October 1st and October 19th, 1941, both inclusive, from Port Arthur, Fort William or Armstrong, Ontario, to destinations in any province in Eastern Canada if such grains and feeds are distributed before July 1st, 1942, for use exclusively as feed for live stock in Eastern Canada, and provided further that, on all grains and feeds shipped and distributed in accordance with the provisions hereof, evidence satisfactory to the Flour and Feeds Administrator is produced to show that the sale price to consumers of such products has been reduced by and takes into account the payment of freight charges as herein prescribed.

The Committee concur in the foregoing recommendation and submit the same for approval.

The Committee further advise that Order in Council P.C. 7523, of 25th September, 1941, be hereby revoked.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council approving regulations respecting flour and feeds

P.C. 8097

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 22nd day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council dated the 6th day of March, 1940, P.C. 948, the Agricultural Supplies Board was established and regulations made providing for constructive direction in agricultural production and for dealing with matters pertaining to the purchase and distribution of supplies for use in agricultural production and for the preparation and conservation of agricultural products;

And whereas by Order in Council dated the 5th day of December, 1939, P.C. 3998, as amended, the Wartime Prices and Trade Board was established and regulations made providing for regulation and control of necessities for life as therein defined;

And whereas by Order in Council dated the 28th day of August, 1941, P.C. 6834, the powers of the Wartime Prices and Trade Board were extended to goods and services not within the jurisdiction of any other Board or control;

And whereas the said Agricultural Supplies Board and the Wartime Prices and Trade Board deem it desirable and expedient in the public interest that an Administrator be appointed to regulate the production and distribution of flour and feeds to meet present and potential national needs; such Administrator to be under the direction of the Minister of Agriculture and the Agricultural Supplies Board generally with respect to feeds and under the Wartime Prices and Trade Board with regard to prices and licences specifically; and to be under the Direction of the Wartime Prices and Trade Board with respect to flour;

Therefore, His Excellency the Governor General in Council, on the joint recommendation of the Minister of Agriculture and the Minister of Finance, and under the authority of the War Measures Act, is pleased to make the annexed regulations respecting Flour and Feeds and the powers and duties of the Flour and Feeds Administrator, and they are hereby made and established accordingly.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

REGULATIONS RESPECTING FLOUR AND FEEDS

1. These regulations and any amendment or addition thereto may be cited as the Flour and Feeds Regulations;

2. For the purpose of these regulations, unless the context otherwise requires,

(a) "Feeds" means feed grains, whole or ground; wheat millfeeds; animal and vegetable protein concentrates; commercial mixed feeds; hay and straw and other live stock and poultry feeds and feed materials.

- (b) "Flour" means the finely ground meal of wheat or any other grain.
- (c) "Flour and Feeds Administrator" means the person appointed as such by the Governor in Council.

3. (1) The Flour and Feeds Administrator, under the direction of the Agricultural Supplies Board, and notwithstanding the general authority of the Wartime Prices and Trade Board respecting goods, shall have power

- (a) to enter, or authorize any person to enter, any place or any land for the purpose of inspecting any feeds;
- (b) to take possession of any feeds and deal with it or dispose of it in any manner;
- (c) to buy, sell and otherwise deal in, store, transport, allocate and distribute any feeds;
- (d) to process any feeds or require any person, firm or corporation in the business of processing feeds, to process any specified feeds in any specified manner and in such priority to any other business of such person, firm or corporation as may be specified;
- (e) subject to the approval of the Minister of Agriculture, to fix or limit the quantities of any feeds which may be purchased, sold or distributed by or to any person, firm or corporation within prescribed periods of time and to prohibit purchase, sale or distribution in excess of quantities so fixed or limited;
- (f) to require any person, firm or corporation owning or having possession, control or power to dispose of any feeds, to deal with and dispose of any such feeds in specified manner;
- (g) to require any person, firm or corporation owning or having possession, control or power to dispose of or dealing in any feeds, to produce to any person authorized in writing for the purpose by the Flour and Feeds Administrator, any books or documents and to permit the person so authorized, to make copies of or extracts from any such books and documents, and when such Administrator deems it necessary, to remove any such books and documents;
- (h) to require any person, firm or corporation, processing, storing, importing or dealing in feeds to furnish, in such form, within such time and to such person as the Flour and Feeds Administrator may prescribe, written returns under authority or affirmation showing such information as such Administrator may deem necessary;
- (i) subject to the approval of the Governor in Council, to pay or reimburse any person for the whole or any portion of the freight or transportation costs on movement of any feeds to any points in Canada;
- (j) to investigate, of his own motion or on any complaint, costs, prices, profits and stores of feeds of any person engaged in the manufacture, importation, exportation, production, storage, transportation, supply or sale of any feeds or any alleged or apparent offence against any regulation, and for the purpose of any such investigation, he shall have all the powers of a commissioner appointed under the provisions of the Inquiries Act;
- (k) to prescribe the terms and conditions under which any feeds may be sold or offered for sale;
- (l) to require any person, firm or corporation, to perform such act in respect of any feeds as is deemed by the Flour and Feeds Administrator to be desirable, or to require any person, firm or corporation, to refrain from performing such act as is deemed by such Administrator to be undesirable, in order more effectually to enforce his orders or to exercise his powers respecting such feeds;

and with the concurrence of the Wartime Prices and Trade Board,

- (m) to fix specific or maximum or minimum prices or specific or maximum or minimum markups at which any feeds may be sold or offered for sale and any such order made pursuant hereto shall apply throughout Canada, unless otherwise provided therein;
- (n) to require manufacturers, millers, importers, exporters, jobbers, wholesalers or retailers of or other dealers in any feeds to obtain licences from him, through such person as he may designate and to issue or cause to be issued licences to such persons, and to fix the fees payable on account of such licences; provided, however, that the issue to any person of a licence shall not be deemed to affect the liability of such person to obtain a licence as required by any other statute or law of Canada or any Province thereof;
- (o) to suspend or cancel a licence in any case where, in his opinion, the licensee has failed to comply with any regulation, order or requirement;

and the Agricultural Supplies Board regulations shall be deemed to have been and are hereby amended as is necessary to give effect to these regulations.

(2) If the Flour and Feeds Administrator takes possession of any feeds, the consideration to be paid in respect thereof, in default of agreement, shall be such as is prescribed by such Administrator under direction of the Agricultural Supplies Board and with the approval of the Minister of Agriculture.

4. (1) The Flour and Feeds Administrator, under the direction of the Wartime Prices and Trade Board, shall have power

- (a) to enter, or authorize any person to enter, any place or any land for the purpose of inspecting any flour;
- (b) to take possession of any flour and deal with it or dispose of it in any manner;
- (c) to buy, sell and otherwise deal in, store, transport, allocate and distribute any flour;
- (d) to process any flour or require any person, firm or corporation in the business of processing flour, to process any specified flour in any specified manner and in such priority to any other business of such person, firm or corporation as may be specified;
- (e) to fix or limit the quantities of any flour which may be purchased, sold or distributed by or to any person, firm or corporation within prescribed periods of time and to prohibit purchase, sale or distribution in excess of quantities so fixed or limited;
- (f) to require any person, firm or corporation owning or having possession, control or power to dispose of any flour, to deal with and dispose of any such flour in specified manner;
- (g) to require any person, firm or corporation owning or having possession, control or power to dispose of or dealing in any flour, to produce to any person authorized in writing for the purpose by the Flour and Feeds Administrator, any books or documents and to permit the person authorized, to make copies of or extracts from any such books and documents, and, when such Administrator deems it necessary to remove any such books and documents;
- (h) to require any person, firm or corporation, processing, storing, importing or dealing in flour to furnish, in such form, within such time and to such person as the Flour and Feeds Administrator may prescribe, written returns under authority or affirmation showing such information as such Administrator may deem necessary;
- (i) to investigate, of his own motion or on any complaint, costs, prices, profits and stores of flour of any person engaged in the manufacture,

importation, exportation, production, storage, transportation, supply or sale of any flour or any alleged or apparent offence against any regulation, and for the purpose of any such investigation, he shall have all the powers of a commissioner appointed under the provisions of the Inquiries Act;

- (j) to prescribe the terms and conditions under which any flour may be sold or offered for sale;
- (k) to fix specific or maximum or minimum prices or specific or maximum or minimum markup at which any flour may be sold or offered for sale and any such order made pursuant hereto shall apply throughout Canada, unless otherwise provided therein;
- (l) to require manufacturers, millers, importers, exporters, jobbers, wholesalers or retailers of or other dealers in any flour to obtain licences from him, through such person as he may designate and to issue or cause to be issued licences to such persons, and to fix the fees payable on account of such licences; provided, however, that the issue to any person of a licence shall not be deemed to affect the liability of such person to obtain a licence as required by any other statute or law of Canada or any Province thereof;
- (m) to suspend or cancel a licence in any case where, in his opinion, the licensee has failed to comply with any regulation, order or requirement;
- (n) to require any person, firm or corporation, to perform such act in respect of any flour as is deemed by the Flour and Feeds Administrator to be desirable, or to require any person, firm or corporation, to refrain from performing such act as is deemed by such Administrator to be undesirable, in order more effectually to enforce his orders or to exercise his powers respecting such flour;

(2) If the Flour and Feeds Administrator takes possession of any flour, the consideration to be paid in respect thereof, in default of agreement, shall be such as is prescribed by such Administrator under direction of the Wartime Prices and Trade Board and with the approval of the Minister of Finance.

5. Where the failure to fulfill any contract or obligation, whether made before or after the date of this Order in Council, is due to the compliance on the part of any person, firm or corporation with any order, instruction, regulation, restriction, limitation, licence, permit, prohibition, requirement, direction or quota made, issued, established or given by the Flour and Feeds Administrator or the Wartime Prices and Trade Board, by virtue of this Order in Council, proof of that fact shall be a good and complete defence to any action or proceeding in respect of such failure.

Offences

6. (1) No person shall sell or offer for sale any flour or feeds at a price that is higher than is reasonable and just or withhold any flour or feeds from sale for a price that is higher than is reasonable and just, and in any case where any person accused under this provision has not kept such books of account as are necessary to exhibit or explain his transactions, the onus shall be upon such accused person to establish that the price is reasonable and just; provided that if a specific or maximum price has been fixed under these regulations for the sale of such flour or feeds, any price in excess of the price so fixed shall be conclusively deemed to be higher than is reasonable and just; and provided further that if a specific or maximum markup has been fixed under these regulations for the sale of flour or feeds, any price which includes a markup in excess of the markup so fixed shall be conclusively deemed to be higher than is reasonable and just;

(2) No person shall sell or offer for sale any flour or feeds at a price that is lower than the minimum price fixed under these regulations or at a price which includes a markup that is lower than the minimum markup fixed under these regulations;

(3) No person, without the consent of the Flour and Feeds Administrator, shall acquire, accumulate or withhold from sale any flour or feeds beyond an amount thereof reasonably required for the use or consumption of his household or for the ordinary purposes of his business;

(4) No person, without the consent of the Flour and Feeds Administrator, shall unduly prevent, limit or lessen the manufacture, production, transportation, sale supply or distribution of any flour or feeds;

(5) No person shall in any manner impede or prevent or attempt to impede or prevent any investigation or examination instituted by the Flour and Feeds Administrator;

(6) No manufacturer, miller, importer, exporter, wholesaler, jobber, retailer, supplier or other dealer shall sell, supply or offer for sale or supply, or ship, distribute or deal in any goods or services in respect of which a licence is required unless he has a licence from the Flour and Feeds Administrator which is in full force and effect.

Penalties

7. Any person who contravenes or fails to observe any regulation, order or requirement or makes any false statement in any return made pursuant to any regulation, order or requirement shall be guilty of an offence and liable, upon indictment or upon summary conviction under Part XV of the Criminal Code, to a penalty not exceeding \$5,000 or to imprisonment for any term not exceeding two years, or to both fine and imprisonment; and any director or officer of any company or corporation who assents to or acquiesces in any offence by such company or corporation against any regulation, order or requirement shall be guilty of such offence personally and cumulatively with the said company or corporation.

8. (1) No prosecution for a contravention or non-observance of any regulation, order or requirement shall be commenced without the written leave of the Agricultural Supplies Board or of the Wartime Prices and Trade Board or of the Attorney-General of the province in which the offence is alleged to have been committed.

(2) A prosecution for any contravention or non-observance of any of these regulations or for any contravention or non-observance of any regulation, order or requirement made pursuant to authority conferred by these regulations or by any other Order in Council or Act of Parliament may be commenced within twelve months from the date on which the offence is alleged to have been committed.

9. Every order made pursuant to these Regulations shall take effect from a date to be stated therein and shall be published in the *Canada Gazette*.

10. These regulations and any order made thereunder shall not apply to any farmer or gardener in respect of any agricultural product produced upon any land cultivated by him.

11. The Flour and Feeds Administrator shall report to the Minister of Agriculture or the Wartime Prices and Trade Board, as and when required to do so.

Order in Council adding certain commodities to list under export control

Canada Gazette (Extra), 23rd October, 1941

P.C. 8118

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 20th day of October, 1941.

PRESENT:

The Deputy of
HIS EXCELLENCY
THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Trade and Commerce reports that it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, deemed capable of being converted into or made useful in the production of arms, ammunition, or military, naval and air stores, in addition to those articles enumerated and described in Schedule One of Order in Council P.C. 7674 of October 4, 1941, in order to carry out more effectively the regulations respecting trading with the Enemy, 1939, and to conserve supplies of commodities required for Canadian and United Kingdom requirements;

Now, therefore, The Deputy of His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Trade and Commerce and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937), and by the War Measures Act (Chapter 206, R.S.C. 1927), is pleased to order, that, effective on and after 25th October, 1941, the following commodities be, and they are hereby added to Group Five of Schedule One of Order in Council P.C. 7674 of October 4, 1941:—

Agricultural Implements and Machinery
Furniture of Metal
Household Machinery
Stoves and heating apparatus of all kinds.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council approving financial assistance for the sale of
British Columbia apples**

P.C. 2/8119

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by the Deputy of His Excellency the Governor General in
Council, on the 20th October, 1941.*

The Board has under consideration a memorandum from the Honourable the Minister of Agriculture reporting that:—

“Whereas the sale by the Dominion Government to the United Kingdom Ministry of Food of 1,500,000 boxes of British Columbia apples, together with the reduction in crop estimate since the facts submitted as warranting the agreement with the British Columbia Fruit Board authorized under an Order in Council dated the 25th day of June, 1941 (P.C. 1/4600), have substantially altered the facts then submitted and especially the need of financial assistance with sales of British Columbia apples for domestic consumption;

And whereas necessity may now arise to limit the other export sales of apples grown in British Columbia in 1941;

The undersigned therefore recommends that Your Excellency in Council, under authority of the War Measures Act, do authorize amendment of the aforesaid agreement as follows:

1. By insertion of the following as paragraph (bb) of Clause 2 thereof:

(bb) to market schedule apples outside of Canada only to such maximum quantity and under such terms of sale as the Minister may authorize.

2. By rescinding paragraphs (a) and (b) of Clause 3 and substituting the following therefor:

(a) by purchasing from the Board, for sale to the United Kingdom Ministry of Food, 1,500,000 boxes of schedule apples of varieties, grades and sizes to be specified, at \$1.15 per box strapped and stencilled for export, f.o.b. shipping points in the Oanagan Valley;

(b) by paying to the Board the sum or amount of 40 cents per box for any quantity by which the total of sales of schedule apples within and outside of Canada, including the quantity purchased by the Minister under paragraph (a) of this clause, may be less than 4,600,000 boxes.”

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council approving regulations governing prairie farm income payments

Canada Gazette (Extra), 23rd January, 1941

P.C. 8126

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 22nd day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Agriculture reports that the returns expected from wheat and other grains produced in the spring wheat area of the western provinces during the present crop year will not provide an adequate proportion to the income necessary to maintain the producers under prevailing conditions;

That it is therefore considered desirable to increase the income of such producers by making a cash distribution on the basis of the extent of the cultivated acreage of each producer;

That it is considered that the amount to be so distributed should be approximately \$20,000,000 if the necessary addition to income is to be attained; and

That a payment at the rate of 75 cents per acre on one-half of the cultivated acreage of each farm, with a maximum payment of \$150 per farm, would achieve the required result in an equitable manner.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under and by virtue of the powers conferred on the Governor in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to grant and doth hereby grant authority for the expenditure of the sum of \$20,000,000 in order to increase the income of the farmers in the spring wheat area of Western Canada by making payments to such farmers at the rate of 75 cents per acre on one-half of the cultivated acreage of each farm eligible under the regulations attached hereto, subject to the conditions and limitations set forth in the said regulations; the administrative work in connection therewith to be undertaken by the organization established for the administration of the Prairie Farm Assistance Act and the Wheat Acreage Reduction regulations.

His Excellency in Council, on the same recommendation and under the above cited authority, is further pleased to make the attached Regulations Governing Prairie Farm Income Payments and they are hereby made and established accordingly.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

REGULATIONS GOVERNING PRAIRIE FARM INCOME PAYMENTS

1. In these regulations unless the context otherwise requires:—

(a) "Spring wheat area" means the provinces of Manitoba, Saskatchewan, Alberta and the Peace River District in British Columbia.

- (b) "Farm" means the total land being operated as a unit.
- (c) "Minister" means the Minister of Agriculture.
- (d) "Farmer" means an owner operator or tenant operator of a farm.
- (e) "Cultivated acreage" means land that has been seeded to grain or other crops in 1941 or summerfallowed in 1941 and land seeded to grass or clover, all of which must have been in grain crop, grass, clover or summerfallow in 1940. Land under grass prior to 1940 shall not be included unless the productivity is being maintained. Summerfallowed land to qualify shall have not less than two thorough cultivations.

2. The Minister may, on or after December 1, 1941, pay to any farmer in the spring wheat area the sum of Seventy-five cents per acre on one-half the cultivated acreage of the farm provided that the total amount thus to be paid to any one farmer shall not exceed One Hundred and Fifty Dollars.

3. A farmer to be eligible for an income payment shall make application not later than November 30th to the Secretary of the Municipality in which he resides or, in the case of Unorganized Areas, to the Provincial Government as the case may be. Such an application shall not be necessary in the case of a farmer who has filed a cultivated acreage report for the year 1941 with the Prairie Farm Assistance Office in Regina.

4. No payment shall be made on the following lands:—

- (a) Farm lands operated as Experimental Farms.
- (b) Farm lands operated by Provincial Governments, government institutions or universities.
- (c) Farms operated for ranching purposes.
- (d) Farm lands operated as market gardens.
- (e) Farm lands operated by Indians on Indian Reservations.
- (f) Irrigated lands.

5. Every person shall be guilty of an offence under these regulations and liable on summary conviction to a fine not exceeding one hundred dollars, who

- (a) in respect of any information or return required by these regulations, submits false information or makes a false return thereto.
- (b) falsely claims to be entitled to any payment under these regulations.

6. The Minister may pay, out of the monies provided for the administration of the Prairie Farm Assistance Act, and/or the Wheat Acreage Reduction Regulations, all administrative expenses, including travelling and other expenses, incurred under these regulations.

7. The Minister may reimburse the Rural Municipalities the amount of such travelling and communications expenses as may be incurred in obtaining or checking the information required under Regulation 2 and may further recompense the municipalities for such services at a rate to be approved by the Governor in Council.

8. No person shall be considered to be a farmer under these regulations unless:—

- (a) He is owner or tenant of a farm from May 1st to November 1st in the year 1941, and
- (b) He lives on the farm and his primary occupation is farming, or he lives not more than 20 miles away from the farm and has no occupation other than farming, and
- (c) He is responsible for the farm operations and the disposal of the proceeds from the farm, and

- (d) The farm has not less than 25 cultivated acres or, having less than 25 cultivated acres, is in the development stage, and
- (e) If residing with a parent or a brother, he is of the full age of twenty years and operates the farm as a separate unit, and the farm consists of at least a quarter-section of land.

Order in Council adding certain commodities to list under export control

Canada Gazette (Extra), 23rd October, 1941

P.C. 8209

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 22nd day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Trade and Commerce reports that it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, deemed capable of being converted into or made useful in the production of arms, ammunition, or military, naval and air stores, in addition to those articles enumerated and described in Schedule One of Order in Council P.C. 7674 of October 4, 1941, in order to carry out more effectively the regulations respecting Trading with the Enemy, 1939, and to conserve supplies of commodities required for Canadian and United Kingdom requirements;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Trade and Commerce, and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937), and by the War Measures Act (Chapter 206, R.S.C. 1927), is pleased to order that—effective on and after October 23rd, 1941, the following commodities be and they are hereby added to Schedule One of Order in Council P.C. 7674 of October 4, 1941:—

Group 4—

Waste paper, excepting newsprint side runs and mutilations.

Group 8—

Ascorbic Acid

Nicotinic Acid

Glycerophosphoric Acid and Glycerophosphates

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council approving Wartime Wages and Cost of Living
Bonus Order**

Canada Gazette (Extra), 27th October, 1941

8253

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 24th day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports that in order to achieve a stabilization of wage rates at fair and reasonable levels, in the interest of the war effort, it is necessary to extend the provisions embodied in P.C. 7440, of December 16th, 1940, as amended by P.C. 4643, of June 27th, 1941, to cover substantially all employers and employees; and

That it is necessary to provide administrative machinery for the more effective development of a wartime wages and labour policy.

And whereas the Minister of Labour, therefore, recommends that Order in Council P.C. 7440, of December 16th, 1940, as amended by Order in Council, P.C. 4643, of June 27th, 1941, be revoked, effective the fifteenth day of November, 1941, and a new Order, as hereinafter set forth, made in substitution therefor.

Now therefore, His Excellency the Governor General in Council, is pleased to revoke Order in Council, P.C. 7440, of December 16th, 1940, as amended by Order in Council, P.C. 4643 of June 27th, 1941, and it is hereby revoked, effective November 15th, 1941.

His Excellency in Council, under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada 1927, is further pleased to make the following Order, and it is hereby made and established in substitution for the said Order in Council, P.C. 7440, as amended,—

ORDER

1. This Order may be cited as the Wartime Wages and Cost of Living Bonus Order.

INTERPRETATION

2. In this Order, unless the context otherwise requires:

“Employer” includes any person, firm or corporation

- (i) subject to the provisions of the Industrial Disputes Investigation Act as extended by Order in Council, P.C. 3495, of November 7th, 1939, as amended; or
- (ii) engaged in building or other construction work and employing ten or more persons; or
- (iii) employing fifty or more persons;

but shall not include

- (i) any department or agency of the Government of Canada subject to the provisions of Order in Council, P.C. 6702, of 26th August, 1941, as amended; or

- (ii) any department or agency of any provincial government or any municipality; or
- (iii) any person, firm or corporation engaged in agriculture, horticulture, fishing, hunting or trapping; or
- (iv) any hospital or religious, charitable or educational institution or association operated on a non-profit basis.

CONSTITUTION OF THE NATIONAL WAR LAROUR BOARD

3. (1) There shall be a National War Labour Board (hereinafter referred to as the National Board), which shall consist of a Chairman and four or more members, representing employers, and four or more members, representing employees.

(2) The Chairman shall be appointed by the Governor in Council and shall hold office during pleasure.

(3) The members of the National Board shall be appointed by the Governor in Council on the recommendation of the Minister of Labour, after consultation with the National Labour Supply Council and shall hold office during pleasure.

(4) The head office of the National Board shall be at Ottawa.

(5) A majority of the members of the National Board shall constitute a quorum.

(6) There shall be an executive committee of the National Board which shall consist of the Chairman and two other members to be selected by the National Board, which shall exercise such powers as may be conferred upon it by the by-laws.

(7) The members of the executive committee shall be paid such salaries as may be fixed by the Governor in Council.

(8) The members of the National Board who are not members of the executive committee shall be paid such per diem allowance and such allowance for expenses as may be fixed by the Governor in Council.

STAFF

4. (1) The National Board may appoint an officer to be the chief executive officer of the National Board who shall be paid such salary as may be fixed by the Governor in Council.

(2) The Department of Labour shall furnish such technical and clerical assistance to the National Board as may be possible and the National Board, with the approval of the Governor in Council, may employ such other officers and employees as may be necessary for the conduct of its business and may, with such approval, fix their remuneration.

POWERS OF NATIONAL BOARD

5. (1) The National Board shall be charged with
- (a) the administration of this Order and P.C. 7679 of the 4th October, 1941;
 - (b) the administration of the Fair Wages and Hours of Labour Act, 1935;
 - (c) the supervision of the Regional War Labour Boards, established under the provisions of this Order; and
 - (d) such other duties as may be imposed upon it by the Governor in Council or by the Minister of Labour.

(2) The National Board shall, as directed by the Minister of Labour, investigate wage conditions and labour relations in Canada and shall from time to time make such recommendations as it may deem necessary in connection therewith, having regard to the principles enunciated in P.C. 2685 of the 19th June, 1940.

6. (1) The National Board shall have all the powers and authority of a Commissioner appointed under Part I of the Inquiries Act, Chapter 99 of the Revised Statutes of Canada 1927.

(2) The Chairman or any member of the National Board may administer oaths.

BY-LAWS

7. (1) The National Board may make such by-laws as may be necessary

- (a) to enable it to carry into effect the duties imposed upon it by this Order;
- (b) to confer upon the executive committee of the National Board power to act for it as set out in the by-laws;
- (c) to provide for the supervision and control of its officers, clerks and employees; and
- (d) to empower Regional Boards to carry out any duties or responsibilities imposed upon them in connection with the administration of this Order.

(2) No such by-laws shall come into force and effect until approved by the Minister of Labour and no alteration, modification or repeal of any such by-laws shall have any force or effect until so approved.

REGIONAL WAR LABOUR BOARDS

8. (1) There shall be five Regional War Labour Boards (hereinafter referred to as Regional Boards), each of which shall consist of a Chairman and two or more representatives of employers and two or more representatives of employees.

(2) One such Regional Board shall be appointed for the Maritime Provinces, one for the Province of Quebec, one for the Province of Ontario, one for the Provinces of Manitoba, Saskatchewan and Alberta, and one for the Province of British Columbia.

(3) The Chairman of the Regional Board for Quebec, for Ontario and for British Columbia shall be the Ministers of Labour of these Provinces, respectively.

(4) The Chairman of the Regional Board for the Maritime Provinces shall be a Minister of Labour from one of the said Provinces who shall be chosen by the Ministers of Labour of the three Provinces concerned.

(5) The Chairman of the Regional Board for the Provinces of Manitoba, Saskatchewan and Alberta shall be a Minister of Labour from one of the said Provinces who shall be chosen by the Ministers of Labour of the three Provinces concerned.

(6) The Chairman of each Regional Board may designate a person to be Vice-Chairman thereof to preside over the Regional Board in his absence.

(7) The members of the Regional Boards representing the employers and employees shall be appointed by the Governor in Council on the recommendation of the Minister of Labour, after consultation with the

National Labour Supply Council and the Ministers of Labour of the Provinces concerned, and the head office of each Regional Board shall be at such place as may be determined by each Regional Board.

(8) The majority of the members of each Regional Board shall constitute a quorum of the Regional Board.

(9) The members of the Regional Board representing the employers and the employees shall be paid such per diem allowance and such allowance for expenses as may be fixed by the Governor in Council.

(10) Each Regional Board may appoint an executive officer to be the chief executive officer of the Regional Board and such officer shall be paid such salary as may be fixed by the Governor in Council.

POWERS OF REGIONAL BOARDS

9. (1) A Regional Board shall be charged with such duties and responsibilities as may be assigned it by the National Board.

(2) A Regional Board shall have all the powers and authority of a Commissioner appointed under Part I of the Inquiries Act, Chapter 99 of the Revised Statutes of Canada 1927.

(3) The Chairman or any member of a Regional Board may administer oaths.

EXPENSES

10. The administrative expenses of the National Board and of the Regional Boards, other than the salaries and usual travelling expenses of Dominion and provincial officials, shall be paid out of the War Appropriation.

WAGE RATES

11. (1) Except on written permission of the National Board, as herein provided, no employer shall increase the basic scale of wage rates paid by him at the effective date of this Order.

(2) If the National Board finds that any employer's basic scale of wage rates is low as compared with the rates generally prevailing for the same or substantially similar occupations in the locality or in a locality which in the opinion of the National Board is comparable, it may prescribe such increased wage rates as it finds fair and reasonable.

(3) If the National Board finds any employer's basic scale of wage rates is enhanced as compared with the rates generally prevailing for the same or substantially similar occupations in the locality or in a locality which in the opinion of the National Board is comparable, it may order that the cost of living bonus, hereinafter provided, shall be deferred for such period or adjusted to such amount as it finds fair and reasonable.

COST OF LIVING BONUS

12. Except as otherwise provided by Sections 11 and 13 of this Order, every employer shall pay to all his employees, other than those occupying positions above the rank of foreman or comparable ranks, a wartime cost of living bonus based on the increase in the cost of living, as measured by the cost of living index for the Dominion as a whole prepared by the Dominion Bureau of Statistics, and payable for each payroll period at the same time as wages are paid for such period, unless where mutually agreed to be paid monthly, as follows:—

- (a) Effective for the first payroll period beginning on or after November 15, 1941, each employer who has been paying a bonus pursuant to P.C. 7440 of 16th December, 1940, as amended, shall add to the amount of such bonus an amount based as hereinafter provided on the rise in the index number for October, 1941, above the most recent index number used to determine the current amount of such bonus.
- (b) Effective for the first payroll period beginning on or after February 15, 1942, each employer who is not then paying a bonus in accordance with the provisions of this order shall pay a bonus in an amount based as hereinafter provided on the rise in the index number for January, 1942, above the index number for October, 1941, or for such earlier month, not earlier than the effective date of the last general increase in wages paid by him and not earlier than August, 1939, as the National Board finds fair and reasonable.
- (c) The rise or fall in the index shall be measured in points, to the nearest one-tenth of one point, after the index has been adjusted to the base of 100·0 for August, 1939.
- (d) For each rise of one point in the index, the amount of the bonus or the increase in the amount of the bonus, as the case may be, and for each fall of one point in the index, the decrease in the amount of the bonus, shall be—
 - (i) twenty-five cents per week for all adult male employees, and for all other employees employed at basic wage rates of twenty-five dollars or more per week, and
 - (ii) one per cent of their basic weekly wage rates for male employees under twenty-one years of age and female workers employed at basic wage rates of less than twenty-five dollars per week.
- (e) The amount of the bonus shall be redetermined every three months (viz. effective for the first payroll periods beginning on or after the fifteenth day of the months of February, May, August and November, respectively) on the basis of the change in the cost of living shown by the index number for the immediately preceding month (viz. January, April, July and October) as compared with the index number on which the last previous change in the amount of the bonus was based. The amount of the bonus shall not be changed unless the cost of living has changed one whole point or more. Whether the bonus shall be changed, and, if so, the increase or decrease in its amount, as the case may be, shall be determined and announced by the Board in accordance with the provisions of this subsection and subsections (c) and (d) of this section.
- (f) The bonus shall be payable only with respect to employment at basic wage rates, not including overtime. For any pay period during which an employee is employed and paid for less than the normal full time hours of work at basic wage rates he shall be paid that proportion of his full time bonus which the number of hours he actually worked at basic wage rates is of the normal full time hours of work in that period.
- (g) In case of any dispute as to whether in any case a bonus is payable and the amount of such bonus, the National Board shall determine the matter in dispute and its determination shall be final and binding on the employer and employees concerned.

13. Any employer may apply to the National Board for exemption from the payment in whole or in part of the said bonus, and, if it be clearly shown to the National Board that such employer is financially unable to pay the said bonus, the National Board may authorize the partial payment or non-payment of the bonus subject to such terms and conditions as it may deem advisable.

PENALTY

14. Any employer, or officer or agent thereof, who employs any person upon terms which involve a violation of any provision of this Order, or contravenes or fails to observe any of the provisions hereof, or of any order or direction of the National Board or of a Regional Board, shall be guilty of an offence and liable on summary conviction to a fine of not less than one hundred dollars nor more than five thousand dollars.

15. The Minister of National Revenue shall disallow as an abnormal expense pursuant to section 8 (b) of the Excess Profits Tax Act, Chapter 32 of the Statutes of 1940, and subsection (2) of section 6 of the Income War Tax Act, the amount of any wages or bonus payments found to have been paid or certified to him by the National Board as having been paid in excess of the amounts herein prescribed.

GENERAL

16. Any provision of any collective labour agreement which is inconsistent with the provisions of this Order shall be brought into conformity with this Order not later than January 1, 1942. Any agreement so modified, and any other condition of work otherwise suspended in the interest of war production shall be fully restored on the termination of the present war. The National Board shall maintain a record of all such modifications and suspensions.

17. Except with respect to the determination of wage rates and cost of living bonuses this Order shall not affect the conduct of the business of the National Joint Conference Board of the Construction Industry.

18. This Order shall supersede any inconsistent provisions of any Dominion law, order or regulation, but nothing in this Order shall deny to employees cost of living bonus or other benefits to which they were entitled up to November 15, 1941.

19. This Order shall be effective on and after the 15th day of November, 1941.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing uniformity in method of refund of taxes and duties on supplies and munitions of war

Canada Gazette (Extra) 28th October, 1941

P.C. 1/8255

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 24th October, 1941.

The Board had under consideration a memorandum from the Honourable the Minister of National Revenue reporting:—

1. That he has received from the Minister of Munitions and Supply representations as follows:—

- (a) That due to the many complications of a financial and accounting nature arising out of the present regulations with respect to assessment and collection of duties and taxes on importations of munitions of war and supplies made on behalf of the Canadian Government and jointly on behalf of the Canadian and United Kingdom Governments, and the exemption or remission of such duties and taxes on importations made on behalf of the United Kingdom and Allied Governments, and the fact that in many instances such importations are, and doubtless will continue to be, diverted from the account of the Government or Governments for which the same were originally imported to the account of another or others of such governments, it is considered that there should be uniformity wherever possible in the method of assessment, exemption, remission or refund of such duties and taxes in all cases of importations of such munitions of war and supplies into Canada;
- (b) That for the same reasons there should be uniformity in the method of dealing with sales and excise taxes on the purchase of munitions of war and supplies in Canada;
- (c) That it is in the public interest and conducive to the more economical, efficient and expeditious handling of importations and purchases of munitions of war and supplies that the complications above mentioned should be eliminated;

2. That the undersigned Minister of National Revenue therefore recommends, with the concurrence of the Minister of Munitions and Supply and the Minister of Finance, that, under the authority and by virtue of the War Measures Act, your Excellency in Council be pleased to order that:

Section I—For the purposes of this Order in Council and any regulations made hereunder, except where the context otherwise requires:

- (a) "Munitions of War" as used herein shall have the meaning set out in clause (d) of Section 2 of the Department of Munitions and Supply Act, being Chapter 3 of the Statutes of Canada 1939 (2nd Session) as amended by Chapter 31 of the Statutes of Canada 1940, which reads as follows:

"munitions of war" means arms, ammunition, implements of war, military, naval or air stores, or any articles deemed capable of being converted thereinto, or made useful in the production thereof."

- (b) "Supplies" as used herein shall have the meaning set out in Clause (e) of Section 2 of said The Department of Munitions and Supply Act, which reads as follows:
- "'supplies' includes materials, equipment, ships, aircraft, automotive vehicles, animals, goods, stores and articles or commodities of every kind including, but without restricting the generality of the foregoing, anything which, in the opinion of the Minister, is, or is likely to be, necessary for or in connection with the production, storage or supply of any munitions of war or necessary for the needs of the Government or of the community in war."
- (c) "Duties and Taxes" as used herein shall mean Customs duties and/or taxes assessed, imposed or levied by His Majesty in the right of the Government of Canada and which but for the provisions of this order would be exigible on importation of munitions of war or supplies into Canada;
- (d) "Sales and Excise Taxes" as used herein shall mean sales and excise taxes assessed, imposed or levied by His Majesty in the right of the Government of Canada which but for the provisions of this order would be exigible on the sale of munitions of war or supplies in Canada;
- (e) "Minister of Munitions and Supply" as used herein shall mean and include the Minister of Munitions and Supply of Canada for the time being in office and includes the Deputy Minister or any Acting Deputy Minister of Munitions and Supply and any duly authorized representative of the said Minister. The Minister of Munitions and Supply shall from time to time furnish to the Minister of National Revenue the names and addresses of the duly authorized representatives of the Minister of Munitions and Supply;
- (f) "Minister of National Revenue" as used herein shall mean and include the Minister of National Revenue as defined in the Department of National Revenue Act, being Chapter 137 of the Revised Statutes of Canada 1927;
- (g) "Agent of the Minister of Munitions and Supply" as used herein shall mean and include the following:
- (i) any wholly owned Government Company or Corporation (other than commodity companies) incorporated pursuant to the request or authorization of the Minister of Munitions and Supply; and
 - (ii) any person purchasing, producing, manufacturing or otherwise dealing in or with munitions of war or supplies for or on behalf of the Minister of Munitions and Supply and operating on a management-fee basis, and
 - (iii) any person acting for or on behalf of the Minister of Munitions and Supply in producing, manufacturing, purchasing, procuring or otherwise dealing in or with munitions of war or supplies, provided that the operations of any such person in so acting are separate and distinct from any or all other operations of such person, and the Minister of Munitions and Supply shall have so certified;
- (h) "Person" as used herein shall mean and include persons, firms, associations, companies or corporations.

Section II—Subject to the production of the certificate provided for in Section III hereof:

- (a) No duties and/or taxes shall be levied or collected by the Minister of National Revenue on any importations of munitions of war or supplies into Canada by or on behalf of the Minister of Munitions and Supply, or by or on behalf of an agent of the Minister of Munitions and Supply;
- (b) No sales or excise taxes shall be levied or collected by the Minister of National Revenue on any purchase of munitions of war or supplies in Canada by or on behalf of the Minister of Munitions and Supply, or by or on behalf of an agent of the Minister of Munitions and Supply;
- (c) If any of the duties and/or taxes referred to in subsections (a) and (b) of this Section II are levied or collected after the date of the coming into effect of this order remission or refund thereof is hereby authorized.

Section III—Before any person claiming exemption hereunder with respect to any such munitions of war or supplies shall be entitled to receive the same, such person shall present to the Minister of National Revenue a certificate signed by the Minister of Munitions and Supply (in the form set out in Appendix I hereto) stating that such munitions of war and/or supplies are entitled to the exemption from duties and taxes and/or sales and excise taxes or the remission or refund thereof (as the case may be) under the provisions hereof.

Section IV—(a) The Minister of Munitions and Supply shall from time to time furnish to the Minister of National Revenue the names and addresses of the Agents of the Minister of Munitions and Supply as defined herein;

- (b) The determination as to whether or not the person claiming exemption or remission and refund (with respect to any munitions of war or supplies) is an agent of the Minister of Munitions and Supply within the meaning hereof or is otherwise entitled to claim any exemption or remission and refund hereunder shall be made by and be the responsibility of the Minister of Munitions and Supply whose decision shall be final and binding;
- (c) The determination as to whether or not any goods, materials, articles or things (for which any exemption is claimed hereunder) are munitions of war or supplies within the meaning hereof, shall be made by and be the responsibility of the Minister of Munitions and Supply whose decision shall be final and binding;
- (d) The determination as to whether or not the person claiming any exemption or remission and refund hereunder (with respect to any munitions of war or supplies) has complied with the provisions hereof shall be made by and be the responsibility of the Minister of National Revenue whose decision shall be final and binding.

Section V—(a) Subject to the production of the certificate hereinafter in this Section V provided any person importing munitions of war and/or supplies for the fulfilment of war contracts for the Minister of Munitions and Supply acting for or on behalf of either the United Kingdom Government or any Allied Government (including British Dominions) shall be entitled to claim drawbacks through the Drawbacks Division of the Department of

National Revenue, in the same manner as any person engaged in exporting goods is permitted to claim drawbacks for goods so exported, provided, however, that such drawbacks shall be for One Hundred percentum (100 per cent) of the duties and taxes paid by such person on such importation;

- (b) Such person shall present to the Minister of National Revenue a certificate (in the form set out in Appendix II hereto) signed by the Minister of Munitions and Supply and stating that such person has entered into a war contract with the Minister of Munitions and Supply and is entitled to claim drawbacks under such contract;
- (c) Such certificate shall be accompanied by a declaration of such person (or duly authorized official of such person having knowledge of the facts) stating that the price charged by such person under the said contract does not include any element of duties or taxes and shall be substantially in the form set out in Appendix II hereto;
- (d) Any person supplying munitions of war or supplies to an agent of the Minister of Munitions and Supply shall likewise be entitled to claim drawbacks in the same manner and subject to the same conditions as provided in subsections (a), (b), and (c) of this Section V;
- (e) The provisions of clauses (a), (b) (c), and (d) of Section IV hereof shall *mutatis mutandis* apply to claims for drawbacks hereunder;
- (f) By agreement between the Minister of Munitions and Supply and the Minister of National Revenue, the provisions of this Section V may be extended to apply to importations of munitions of war and/or supplies for the fulfilment of war contracts for Governments other than those mentioned in subsection (a) of this Section V.

Section VI—(a) The provisions of Order in Council P.C. 1/2540 of the 11th April, 1941, shall not apply to munitions of war and supplies imported into or purchased in Canada under or pursuant to any contract or orders entered into subsequent to the effective date hereof;

- (b) The provisions of this Order in Council shall apply to all munitions of war or supplies imported into or purchased in Canada under or pursuant to any contracts or orders entered into subsequent to the effective date hereof, and, so far as practicable, to munitions of war or supplies imported into or purchased in Canada subsequent to the effective date hereof under or pursuant to contracts or orders existing or entered into prior to the effective date hereof .

Section VII—This Order shall come into effect on and after the Third day of November, 1941.

Section VIII—Articles and materials and permanent and non-permanent plant equipment for use in the manufacture of munitions of war and supplies, in respect of which remission or refund was authorized under Order in Council (P.C. 68/537), dated February 8, 1940, as amended by Order in Council (P.C. 1/565), dated February 9, 1940, Order in Council (P.C. 87/5724), dated October 17, 1940, or in respect of which remission

or repayment was provided by Order in Council (P.C. 1/2540), dated 11th April, 1941, or under this Order in Council, which remain on hand at the time of the cessation of hostilities in the present war, or which prior to that time are diverted for use other than in the manufacture of munitions of war or supplies as defined herein, shall become subject to any customs and excise duties and taxes ordinarily applicable unless they are exported or destroyed, and the scrap and salvage resulting from any such destruction shall also become subject thereto, and the person who acquires the goods, whether by purchase or otherwise, shall pay, when he obtains possession thereof, the said customs and excise duties and taxes levied at the rates then in effect, computed on the following bases of valuation:—

- (a) In the case of articles and materials, and plant equipment other than machinery, new or unused, on the values thereof on the dates when relevant customs entries were passed, or on the dates when the same were delivered to the manufacturer by the Canadian vendor, as the case may be;
- (b) In the case of new or unused articles or materials which after importation or delivery by the Canadian vendor have been processed, on the values thereof as then appraised by a Dominion Customs Appraiser or as determined by an Excise Tax Auditor, as the case may be;
- (c) In the case of new or unused machinery, and used materials, machinery and other plant equipment, on the values as then appraised by a Dominion Customs Appraiser or as determined by an Excise Tax Auditor, as the case may be.

Section IX—The Minister of National Revenue and the Minister of Munitions and Supply be and they are hereby authorized to do all such acts, matters and things including the establishing of such regulations as may be necessary or advisable to carry out the foregoing."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

APPENDIX I

CERTIFICATE FOR EXEMPTION, REMISSION OR REFUND OF DUTIES AND TAXES ON IMPORTATIONS INTO CANADA UNDER SECTION III OF P.C. ORDER NO.

(Duties and Taxes)

This is to certify that:

The munitions of war and/or supplies above described are entitled to exemption, remission or refund from duties and taxes under the provisions of P.C. dated October, 1941; the same having been imported into Canada by or on behalf of the Minister of Munitions and Supply, or by or on behalf of an agent of the Minister of Munitions and Supply.

.....
*Authorized Representative of the Minister of
Munitions and Supply.*

(To be written, printed or stamped and signed on the face of the relative Customs entries or otherwise furnished to the Minister of National Revenue).

CERTIFICATE FOR EXEMPTION, REMISSION OR REFUND OF SALES TAX OR EXCISE
TAX ON PURCHASES (IN CANADA) UNDER SECTION III OF P.C. ORDER NO.

(*Sales Tax and Excise Tax*)

This is to certify that:

The munitions of war and/or Supplies above described are entitled to exemption, remission or refund from sales tax and excise tax under the provisions of P.C. dated October, 1941; the same having been purchased in Canada by or on behalf of the Minister of Munitions and Supply, or by or on behalf of an agent of the Minister of Munitions and Supply.

.....
*Authorized Representative of the Minister of
Munitions and Supply.*

(To be written, printed or stamped and signed on the face of the purchase order or acceptance of tender, or otherwise furnished to the Minister of National Revenue.)

APPENDIX II

CERTIFICATE FOR DRAWBACKS UNDER SECTION V

(*Duties and Taxes*)

This is to certify that:

..... has been awarded contract number which contract has been entered into by on behalf of Under the authority of Order in Council P.C. the aforesaid contractor is entitled to claim drawbacks of One Hundred Percentum (100 per cent) of the customs duties and/or taxes paid by the said contractor on articles and materials imported to fulfill the said contract.

.....
*Signature authorized by or on behalf of the
Minister of Munitions and Supply.*

DECLARATION FOR DRAWBACKS UNDER SECTION V

CANADA

Province of }
Country of } SS

I, of
in the County of Province of
DO SOLEMNLY DECLARE AS FOLLOWS:

1. THAT the price(s) charged for articles supplied under the above mentioned contract does not include any element of duties or taxes.
do
2. That I am the of the above
(official position)
named contractor and have personal knowledge of the facts herein deposed to.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing it to have the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared before me at the
City of in the
County of in
the Province of }
this day of }
A.D. 1941 }

*A Commissioner, etc., or
Notary Public.*

**Order in Council establishing rules governing the acceptance and wearing
of foreign decorations and medals**

P.C. 8317

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 28th day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Secretary of State for External Affairs reports that His Majesty the King has approved for the United Kingdom certain rules with regard to foreign decorations; and

That it is expedient that similar rules should, subject to His Majesty's approval, and with modifications appropriate to the present position, be adopted in Canada.

Now therefore, His Excellency the Governor General in Council, on the recommendation of the Secretary of State for External Affairs, concurred in by the Minister of National Defence, the Minister of National Defence for Air, the Minister of National Defence for Naval Services, and the Secretary of State of Canada, is pleased to order and doth hereby order that, subject to the approval of His Majesty the King, the following rules shall govern the wearing of foreign decorations and medals:—

1. Civilian personnel, who are Canadian nationals, and personnel of Canadian Armed Forces, may accept and wear, without restriction, all decorations and medals (other than awards in orders of chivalry) conferred by Allied Powers for service in connection with the prosecution of the present war.

2. Foreign personnel, accepted for service in the Canadian Armed Forces, may be permitted to wear foreign decorations or ribbons when in uniform; such permission to be restricted to decorations of a fully official character conferred by a country in alliance with or associated with or co-operating with this country in the present war.

3. Any permission, previously granted, for the wearing by Canadian nationals of decorations and medals awarded by any country engaged directly or indirectly in hostilities against this country (or against any country in alliance or association with this country), is hereby withdrawn.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council deleting mandarins and tangerines from Part One of Schedule One, War Exchange Conservation Act, 1940

Canada Gazette, 8th November, 1941

P.C. 8324

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 28th day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Part One of Schedule One to the War Exchange Conservation Act, 1940, contains the following Item: "ex 101—Mandarins and tangerines";

Whereas the said Item has the effect of discriminating against mandarins and tangerines as compared to other varieties of oranges; and

Whereas deletion of the said Item at this time would not cause any substantial additional expenditure of foreign exchange.

Now therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order that Part One of Schedule One to the War Exchange Conservation Act, 1940, be and it is hereby amended by deleting therefrom the following Item: "ex 101—Mandarins and tangerines."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing payment of freight charges on western grain and millfeeds shipped into Eastern Canada

Canada Gazette (Extra), 4th November, 1941

P.C. 8396

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 28th October, 1941.

The Committee of the Privy Council have had before them a report, dated 27th October, 1941, from the Minister of Agriculture, representing:—

That by Order in Council dated the 20th day of October, 1941, P.C. 8067, provision was made for the payment of freight charges on Western grain and millfeeds shipped into Eastern Canada for use exclusively as feed for live stock and poultry; and

That it has been found expedient and desirable to make further provision within the Freight Assistance Policy to include mixed cars originating in Western Canada and to make eligible for milling and for feed, stocks of grain which had necessarily moved into Eastern Canada to relieve storage congestion and to permit consumers to benefit from the distribution of storage stocks of millfeeds in manufacturer's and dealer's warehouses, which had accumulated between October 1 and October 19, 1941.

The Committee, therefore, advise that, under the authority of the War Measures Act, the Minister of Agriculture be hereby authorized to pay the freight charges as herein prescribed.

- (a) on Western Wheat, Oats, Barley, Rye, whole or ground, Wheat Bran, Wheat Shorts, Wheat Middlings, No. 1 Feed Screenings or No. 2 Feed Screenings shipped or transported by rail or boat after October 19, 1941, from Port Arthur, Fort William or Armstrong, Ontario, to destinations in Canada east thereof and distributed for use exclusively as feed in Canada for Canadian live stock or poultry before July 1, 1942;
- (b) on not less than thirty tons of either whole Western Wheat, Oats, Barley, Rye, No. 1 Feed Screenings or No. 2 Feed Screenings shipped or transported after May 1, 1941, from Port Arthur, Fort William or Armstrong, Ontario, to port elevators or flour or feed mills in Canada east thereof when used or converted into and distributed for use exclusively as feed in Canada for Canadian live stock or poultry between October 19, 1941, and July 1, 1942;
- (c) on Wheat Bran, Wheat Shorts and Wheat Middlings milled in Western Canada, or milled in Eastern Canada from Western Wheat shipped or transported after May 1, 1941, from Port Arthur, Fort William or Armstrong, Ontario, to port elevators or flour mills in Canada east thereof
 - (i) when such Bran, Shorts or Middlings are distributed from the manufacturing mill for use exclusively as feed in Canada for Canadian live stock or poultry between October 19, 1941, and July 1, 1942;
 - (ii) when such Bran, Shorts or Middlings has been shipped from the manufacturing mill to its branch warehouses or to a dealer's warehouse between October 1 and October 19, 1941, inclusive, and is distributed from these points after October 19, 1941, for use exclusively as feed in Canada for Canadian live stock or poultry prior to July 1, 1942; provided that no claim shall be made with respect to less than twenty-five tons of Bran, Shorts or Middlings in a manufacturer's or a dealer's warehouse as of October 20, 1941; the sum of \$4.50 per ton when the destination is within the Montreal Freight Rate Zone and the sum of \$4.50 per ton, plus the remainder of the actual through carlot rail freight charges to destinations beyond the Montreal Freight Rate Zone and the actual carlot rail freight charges, but not exceeding \$4.50 per ton to destinations in Northern Ontario in which the local freight rate is less than the Montreal Zone freight rate; provided that one-third of the regular freight charges may be paid on carload lots of Western grains, whole or ground, Wheat Bran, Wheat Shorts, Wheat Middlings, Wheat Screenings, and Millfeeds

produced in Eastern Canada from Western Wheat, shipped between October 1 and October 19, 1941, both inclusive, from Port Arthur, Fort William, or Armstrong, Ontario, to destinations in any province in Eastern Canada if such grains and feeds are distributed before July 1, 1942, for use exclusively as feed for live stock in Eastern Canada, and provided further that, on all grains and feeds shipped and distributed in accordance with the provisions hereof, evidence satisfactory to the Flour and Feeds Administrator is produced to show that the sale price to consumers of such products has been reduced by and takes into account the payment of freight charges as herein prescribed.

The Committee further advise that Order in Council dated the 20th day of October, 1941, P.C. 8067, be hereby revoked.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing reimbursement in case of registered postal packets lost after being delivered to unit

P.C. 32/8400

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 29th October, 1941.

The Board had under consideration a memorandum from the Honourable the Associate Minister of National Defence reporting that:—

That instances have occurred, when registered postal packets addressed to members of the Canadian Army serving in the United Kingdom have been lost after they had been delivered by the Postal authorities to the unit in which the addressee is serving, but prior to the packet in question having been delivered to the addressee in person.

That, it is not feasible always for the Army or other Postal authorities to deliver such registered mail matter personally to the addressee and obtain his receipt therefor. Of necessity, said mail is therefore delivered by the Army or other Postal authorities to the Orderly Room of the unit or formation concerned and the unit obtain a receipt therefor from the officer or clerk on duty, and the Postal authorities then cease to have any further responsibility. The mail matter in question is then delivered to the respective addressee under unit or formation arrangements.

Canadian Military Headquarters and the Army Postal authorities have recommended that, in those cases where such registered mail matter has been lost after the same has been delivered to the addressee's unit or formation, as aforesaid, compensation to be paid to the addressee or to the sender upon the addressee waiving his claim, and that said compensation be on the same scale as that prescribed under British Army Regulations for loss of a registered postal packet, or contents thereof, while in the proper custody of the Military authorities if delivery of the same has been taken from the Postal Service. The amount of compensation so payable in respect of the loss of any one such packet or the contents thereof is \$25 and the same is only payable where the loss of or from a registered packet or parcel takes place after receipt from the Postal Service and can be traced to theft or to neglect of the Army Postal Orderly.

The Quartermaster-General and the Acting Deputy Minister (Army) have recommended, therefore, that, where the loss of or from a registered postal packet addressed to a member of the Canadian Army serving overseas takes place in the United Kingdom or on the continent of Europe after receipt thereof by the addressee's unit or formation from the Postal Service, and said loss can be traced to theft or to neglect of the Army Postal Orderly, compensation not exceeding the sum of \$25 in respect of the loss of any one such registered packet or of the contents thereof shall be payable to the addressee or to the sender upon the addressee waiving his claim, under the following conditions:

- (a) Each case wherein such loss occurs shall be reported to the Canadian Claims Commission (Overseas), constituted in pursuance of Order in Council dated 11th April, 1941, P.C. 29/2544.
- (b) Said Commission, in addition to the powers, duties and functions prescribed by the Regulations made under the said Order in Council, shall have power to cause such investigation as it deems necessary to be carried out in respect of said loss, and if, in the opinion of the Commission, the loss has occurred as aforesaid, the Commission shall certify accordingly to the Chief Treasury Officer, overseas, stating the compensation (but not exceeding \$25 in respect of the loss of any one packet or the contents thereof) which is payable to the addressee or to the sender upon the addressee waiving his claim, and the Chief Treasury Officer shall, upon such certification, make payment accordingly.

The undersigned concurs in the aforesaid recommendations and has the honour to recommend that Your Excellency in Council, under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Statute or Law, be pleased to approve the same.

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council adding industrial diamonds, etc., to Part Two of Schedule One, War Exchange Conservation Act

P.C. 62/8400

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 29th October, 1941.

The Board recommend that under authority of the War Measures Act—

1. Item Ex. 648a be added to Part Two of Schedule One of the War Exchange Conservation Act to read as follows:—

Ex. 648a—Industrial diamonds, n.o.p.

2. That Item 364 be added to Part Two of Schedule One of the War Exchange Conservation Act to read as follows:—

Item 364—Diamond dust or bort and black diamonds, for borers.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending the National War Services Regulations,
1940 (Recruits) (Consolidation 1941)**

Canada Gazette (Extra), 5th November, 1941

P.C. 8406

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 31st day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of National War Services and pursuant to the provisions of the National Resources Mobilization Act, 1941, and The War Measures Act, is pleased to amend the National War Services Regulations, 1940 (Recruits) (Consolidation 1941), as established by Order in Council P.C. 1822 of March 18, 1941, and they are hereby amended by adding to Section 3 thereof the following new subsections:

- "(5) A certificate purporting to be signed by a Divisional Registrar that he has, pursuant to the provisions of these regulations, served any notice or caused any notice to be served since the 23rd day of February, 1941, shall be *prima facie* evidence of the statements contained therein."
- "(6) In any proceeding under these regulations against any person for failure to comply with any notice given to or served upon such person since the 23rd day of February, 1941, the burden of proving compliance with all the requirements of such notice and of these regulations shall be upon the person charged with such failure."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council establishing the Joint Committee on Defence Production
of Canada and the United States chairman and members named**

P.C. 8441

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 31st day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Secretary of State for External Affairs reports that The Joint Economic Committees of Canada and the United States have recommended that the respective Governments should establish a joint committee on defence production "to survey the capacity and potential capacity for the production of defence matériel in each country to the end that, in mobilizing the resources of the two countries, each country should provide for the common defence effort the defence articles which it is best able to produce";

That the Cabinet War Committee has approved the recommendation; and
That as a result of discussions with the Government of the United States, it
has been agreed that each Government will appoint a Section of a Committee to
meet with a Section of a Committee appointed by the other in accordance with
the recommendation of the Joint Economic Committees;

Therefore His Excellency the Governor General in Council, on the recom-
mendation of the Secretary of State for External Affairs and under and by virtue
of the War Measures Act, R.S.C. 1927, Chapter 206, is pleased to order and doth
hereby order as follows:—

1. (a) There shall be a committee to be known as the Canadian Section
of the Joint Committee on Defence Production of Canada and the United
States.

(b) Subject to the power of the Governor in Council to revoke such
appointments and to appoint other persons, the following shall be the
members of the Canadian Section of the said Committee:

G. K. Sheils, Chairman

H. J. Carmichael

R. P. Bell

J. R. Donald, of the Department of Munitions and Supply

H. R. Macmillan, President of Wartime Merchant Shipping, Ltd.
and

Walter Gordon, of the Department of Finance.

(c) The Secretary of the Canadian Section of the said Committee shall
be Lesslie R. Thomson.

2. (a) It shall be the duty of the Canadian Section of the Joint Com-
mittee on Defence Production, jointly and severally with the United States
Section of the said Committee, to survey the capacity and potential capa-
city for the production of defence *matériel* in each country to the end that
each country should provide, for the common defence effort, the defence
articles which it is best able to produce, taking into consideration the desir-
ability of so arranging production for defence purposes as to minimize, as
far as possible and consistent with the maximum defence effort, maladjust-
ments in the post-defence period.

(b) The Joint Committee on Defence Production shall furnish to the
Joint Economic Committees copies of its surveys, findings and recommenda-
tions and reports, and shall take appropriate steps to ensure continuing
liaison between its secretariat and members and the secretariat and members
of the Joint Economic Committees.

(c) The Joint Committee on Defence Production shall report from
time to time to the Prime Minister of Canada, as well as to the President of
the United States, with such recommendations as are found to be necessary
to secure the purposes for which it is established, together with reports on
progress made under its recommendations.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council establishing the Shipping Priorities Committee—
chairman and members named

P.C. 8487

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 31st day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Joint Economic Committees of Canada and the United States have recommended

“that the Governments of Canada and the United States

- A. *Accept* as basic policy the principle that United States and Canadian defence shipping requirements shall receive equal consideration and that United States and Canadian civilian shipping requirements shall receive equal consideration;
- B. *Direct* the appropriate agencies in each country to enter into immediate consultation with a view to establishing an effective, convenient and continuing method of placing Canadian requirements before the United States agency or agencies responsible for deciding on overseas import and export shipping priorities;”

And whereas the Secretary of State for External Affairs reports that the above recommendation of the Joint Economic Committees has been approved by the War Committee of the Cabinet as being a desirable and necessary step to facilitate Canada’s war programme;

That it is deemed desirable that a special agency be created as recommended by The Economic Advisory Committee to be specifically charged with the duty of examining the extent of Canadian cargo-space requirements and of determining the degree of priority or urgency of such requirements and arranging with the Canadian Shipping Board for allocation of space in Canadian vessels or with competent authority in foreign governments for the allocation of shipping space in ships of other than Canadian registry; and

That it is deemed desirable that for the said purpose there should be appointed a Shipping Priorities Committee;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Secretary of State for External Affairs (concurrent in by the Minister of Trade and Commerce), and under and by virtue of the War Measures Act, R.S.C. 1927, Chapter 206, is pleased to make the following order and it is hereby made and established accordingly:—

1. (a) There shall be a Committee to be known as the Shipping Priorities Committee to consist of a Chairman and seven members to be appointed by the Governor in Council and to hold office during pleasure.

(b) Four members of the Committee shall form a quorum and the concurrence of at least four members shall be necessary for the execution of any act of the Committee and the act of four of its members shall be deemed to be an act of the Committee.

(c) The Committee may make such rules as may seem expedient for the conduct of its business and proceedings not inconsistent with the provisions hereof.

(d) Members of the Committee, as well as officers and clerks and other employees of the Committee shall be entitled to receive and to be paid their actual reasonable disbursements for travelling expenses necessarily incurred by them in connection with the discharge of their duties.

(e) Subject to the power of the Governor in Council to revoke such appointments and to appoint other persons, the following shall be the members of the Committee:

L. D. Wilgress, Deputy Minister of Trade and Commerce, Chairman, and, in his absence, the Acting Deputy Minister;

G. C. Bateman, Metals Controller;

R. C. Berkinshaw, Chairman of the Wartime Industries Control Board; George Caulton, of the office of the Oil Controller;

T. C. Lockwood, Transport Controller;

A. L. W. MacCallum, Director of Shipping;

David Sim, Wartime Prices and Trade Board;

H. D. Scully, Commissioner of Customs.

(f) J. S. Macdonald, Counsellor of the Department of External Affairs, is hereby authorized to participate in the activities of the Committee as occasion may require.

2. (a) The Committee, with the approval of the Governor General in Council, may employ such officers, clerks and employees as it may deem necessary for the proper conduct of its business and with such approval may fix their remuneration.

(b) If any civil servant subject to the provisions of the Civil Service Superannuation Act 1924 or of the Retirement Act, R.S.C. 1906, Chap. 17, is employed on the staff of the Committee, he shall not, by reason of such employment, be deemed to be removed from his permanent position in the Civil Service, but shall be deemed to be on leave of absence without pay therefrom during the period of such employment.

(c) The Committee may establish such office or offices as are required for the discharge of the duties of the Committee and may provide therefor the necessary accommodation, supplies and equipment.

3. The duties of the Committee shall be to,—

(a) ascertain from time to time Canadian shipping cargo space requirements and, having regard to the necessities of the war effort, determine the degree of priority or urgency of such requirements and the extent to which they can be met by the use of ships of Canadian registry or of ships provided by the United Kingdom Ministry of War Transport;

(b) present to the competent authority of the Government of the United States requests for the allotment of cargo space on ships controlled by the United States Maritime Commission, such request to be supported by evidence of need and urgency;

(c) maintain continuous and effective contact with such competent authority to ensure that Canadian shipping requirements are placed before the agency or agencies of the Government of the United States responsible for deciding on overseas export and import priorities and to enable such requirements to receive equal consideration with United States shipping requirements.

4. The Committee shall have power to make such arrangements or to enter into such agreements on procedure with the competent authority of the Government of the United States as in the opinion of the Committee are necessary and advisable for the purpose of discharging its duties.

5. (a) The Committee may,—
 - (a) require the Canadian Shipping Board to furnish all or any information or assistance which is in the power of the Canadian Shipping Board to furnish and required by the Committee for the purpose of discharging its duties;
 - (b) give directions to the Canadian Shipping Board in all matters relating to the allotment of cargo space in ships of Canadian registry, the arrangement for cargo space in ships other than ships of Canadian registry.
- (b) The Canadian Shipping Board shall comply with any such requirements or direction.

6. The expenses of the Committee and all salaries of personnel shall be payable out of moneys appropriated by the War Appropriation Act 1941 and under the vote in subsequent War Appropriation Acts.

7. The Committee shall report to the Minister of Trade and Commerce and to the Secretary of State for External Affairs as and when required to do so by either of the said Ministers.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing six divisions of the Department of National War Services—P.C. 4748, Sept. 13, 1940, revoked

P.C. 8488

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 31st day of October, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Parliament of Canada duly enacted "The National Resources Mobilization Act, 1940," providing that the Governor General in Council may do and authorize such acts and things, and make from time to time such orders and regulations, requiring persons to place themselves, their services and their property at the disposal of His Majesty in the right of Canada, as may be deemed necessary or expedient for securing the public safety, the defence of Canada, the maintenance of public order, or the efficient prosecution of the war, or for maintaining supplies or services essential to the life of the community, subject to the proviso that the said powers may not be exercised for the purpose of requiring persons to serve in the military, naval or air force outside of Canada or the territorial waters thereof;

And whereas the Parliament of Canada duly enacted "The Department of National War Services Act, 1940", and created the Department of National War Services to assist in carrying out the purposes of "The National Resources Mobilization Act, 1940", and for the other purposes of "The Department of National War Services Act, 1940";

And whereas, by Order in Council, P.C. 4748, dated the thirteenth day of September, 1940, authority was granted for the establishment of four divisions of the said Department of National War Services, as follows:—

- (a) The Division of Human Resources,
- (b) The Division of Material Resources,
- (c) The Division of Voluntary Services, and
- (d) The Division of Publicity,

for the purposes set forth in the said Order in Council;

And whereas the Minister of National War Services reports that the said establishment of four divisions does not now meet the requirements of the Department and that certain changes therein are necessary.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National War Services and under and in virtue of the powers conferred by "The National Resources Mobilization Act, 1940" and "The Department of National War Services Act, 1940", is pleased to order and doth hereby order as follows:

- (1) The provisions of Order in Council P.C. 4748, dated September 13, 1940, are hereby revoked.
- (2) The following divisions of the Department of National War Services are hereby authorized for the purposes hereinafter set forth:
 - (a) The National Registration Division—to administer and carry out the National Registration Regulations, to record and tabulate new registrations, to record changes of address and of matrimonial status, to compile statistical and such other information as may be required as a result of the said national registration and to prepare lists of men as may be required under the National War Services Regulations or otherwise;
 - (b) The Mobilization Division—to administer and carry out the National War Services Regulations and to direct the mobilization of men for military training under the said regulations, of women volunteers for auxiliary service with the army, navy or air force, as requisitioned from time to time, of firefighters for service in the United Kingdom and of such other persons as may be required from time to time, to keep the records of the Voluntary Service Registration Bureau and assist in directing those seeking war employment to employment and toward training facilities which may be available, to give information and other services in connection with prisoners of war and Canadian internees in enemy occupied countries.
 - (c) The Public Information Division—to direct the activities of the Bureau of Public Information to collect and disseminate to the public information concerning the various phases of the war effort of the Canadian people and the activities of the government in relation thereto and, generally, to co-ordinate the existing public information services of the government and originate or employ other means in order that the same may be used in the most efficient way for the obtaining of the utmost aid from the people of Canada in the national emergency which has arisen.
 - (d) The War Charities Division—to administer "The War Charities Act" and the regulations made thereunder, to co-operate with all organizations registered under "The War Charities Act", including such organizations as are or may become subject to the supervision of The National War Charities Funds Advisory Board, and,

generally, to promote, organize and co-ordinate different forms of voluntary assistance, with a view to the most effective use of personal services or material contributions for the prosecution of the war and the welfare of the nation.

- (e) The Women's Voluntary Services Division—to promote the co-ordination of the voluntary efforts of the women of Canada and to encourage the organization of women's voluntary services on a community basis, with a view to their best utilization for the needs of their communities, the maintenance of national morale and the furtherance of the welfare of the nation.
 - (f) The Salvage Division—to strengthen the spirit of thrift in the minds of the people of Canada, to encourage the conservation of raw materials and promote the salvage, collection and disposal of secondary raw materials, to direct and supervise the organization of voluntary salvage corps, to co-operate with other departments concerned with the conservation and use of secondary raw materials and assist in the making of the necessary arrangements between producers, dealers and consumers and to prepare information for distribution.
- (3) Notwithstanding the specific mention of the purposes of the said divisions as aforesaid, there shall be no restriction upon the Minister of National War Services in his right to direct the said divisions to do such further or other things as he may deem necessary from time to time for the proper and efficient carrying out of the objects of the said department.
- (4) The director of each of the said divisions shall be appointed by the Governor General in Council on the recommendation of the Minister of National War Services at a salary to be fixed at the time of the appointment of the said directors.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing new form War Service Badge, "General Service" Class

P.C. 8493

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 1st day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 1022 dated 29th March, 1940, as amended by Order in Council P.C. 7892 dated 11th October, 1941, authority was granted to establish a War Service Badge, "General Service" Class, for issue to:—

"Members of the Naval, Military or Air Forces of Canada on Active Service who have engaged to serve in any of the said Forces during the present War for General Service (i.e. without restriction as to place of service) and who have served in any of the said Forces in Canada or elsewhere and who have been honourably discharged from said Service."

And whereas paragraph 12 of the said Order in Council, as amended by Order in Council P.C. 7892 aforementioned, described the badge as follows:

"War Service Badge, 'General Service' Class: a badge of gilding metal or copper finished in silver or rhodium plate with shank and back; a shield charged with three maple leaves, in red enamel, conjoined on one stem; on a panel above, the serial number, stamped; the whole surmounted by a Crown; and underneath on a scroll, in blue enamel, the words 'General Service'. And having on the back in raised letters: 'Penalty for Misuse 500 Dollars or Six Months Imprisonment'. Height $\frac{7}{8}$ inch. Width $\frac{9}{16}$ inch."

And whereas certain changes are considered desirable in the design of the badge.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Honourable A. L. Macdonald for the Minister of National Defence is pleased to further amend and doth hereby amend Order in Council P.C. 1022 of 29th March, 1940 as amended by Order in Council P.C. 7892, of 11th October, 1941, by cancelling the description of the said badge as set forth in paragraph 12 thereof and substituting therefor the following:

"A badge of gilding metal or copper finished in silver or rhodium plate with shank and back; a shield charged with three maple leaves, in red enamel, conjoined on one stem; surmounted by a crown; and underneath on a scroll, of blue enamel, the words 'General Service'. The serial number stamped on reverse, together with the words, in raised letters, 'Penalty for Misuse 500 Dollars or Six Months Imprisonment'. Height $\frac{7}{8}$ inch. Width $\frac{9}{16}$ inch."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council extending provisions of the Militia Pension Act

P.C. 8525

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 1st day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas in paragraph 9 (b) of its 4th Report dated 12th June, 1941, the Special Committee of the House of Commons on the Pension Act and the War Veterans' Allowance Act recommended as follows:—

"That the Government should give, at the earliest possible time, consideration to the following:

(b) the supplementing of the Long Service Pensions now awarded to a number of former members of the Militia under the Statutes of Canada 1901, Chapter 17, Section (9);

the recommendation in question relating to certain former members of the Permanent Force, now approximately 25 in number, who are in receipt of pensions granted under the Militia Pension Act, Chapter 133, Revised Statutes of Canada, 1927, and whose pensions were, under the provisions of the said Statute in force at the date of their retirement or discharge, computed only on

the average annual pay received for the three years immediately preceding discharge, the allowances payable at the date of discharge not being included in the emoluments upon which the pension was so computed;

And whereas, pursuant to the Amendments made to the Militia Pension Act by Chapter 61 of the Statutes of 1919, pensions to Militiamen, granted subsequent to the effective date of said Amendments (7th July, 1919), are required to be computed on the average annual pay received for the three years immediately preceding discharge plus the allowances payable as of the date of discharge, but said Amendments were not retroactive;

And whereas, by Chapter 35 of the Statutes of 1928, the Militia Pension Act was amended so as to enable the provisions of the said Chapter 61 of the Statutes of 1919 being made applicable to those Officers and Militiamen who, by reason of wounds or disabilities received or suffered whilst on active service during the war between Great Britain and Germany which commenced on 4th August, 1914, were retired or discharged from the Permanent Force prior to the said 7th July, 1919, but this amendment does not apply to Militiamen who were either discharged from the Permanent Force prior to 4th August, 1914, or to those who were discharged therefrom subsequent to that date and prior to 7th July, 1919, for causes other than wounds or disabilities received or suffered whilst on active service during the war mentioned;

And whereas representations have been made on behalf of such last mentioned Militiamen that they should be accorded like treatment and in support of such representations the readjustment of pensions granted former members of the Royal Canadian Mounted Police, as authorized by Chapter 24 of the Statutes of 1925, has been cited;

And whereas, it is considered that it would not be inequitable for the pensions now being paid to Militiamen, as such expression is defined in the Militia Pension Act, who were discharged from the Permanent Force prior to 7th July, 1919, to be readjusted in the same manner as similar pensions were readjusted in pursuance of the amendment to the said Act made by Chapter 35 of the Statutes of 1928, this in principle being similar to the action which was taken in respect of pensions granted to members of the Royal Canadian Mounted Police as mentioned aforesaid, it being observed in this connection that the number of pensioners involved is approximately 25 and the increased annual cost which the readjustments of such pensions would entail is approximately \$4,200 which, having regard to the advancing years of the pensioners concerned, would rapidly diminish.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Honourable A. L. Macdonald, for the Minister of National Defence, concurred in by the Minister of Pensions and National Health and the Minister of National Defence for Naval Services, and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Act, Law or Regulation, is pleased to order and doth hereby order that the pensions granted under the Militia Pension Act now being paid to Militiamen, as defined in the said Act, who were discharged from the Permanent Force prior to 7th July, 1919, shall be re-computed as if Section 14 of the said Act had applied to each such Militiaman at the date he was so discharged, and that the pension so re-computed shall be paid from the date hereof.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing Maximum Prices Regulations

Canada Gazette (Extra), 29th November, 1941

P.C. 8527

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 1st day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the steadily increasing need by Canada and her Allies for the necessities of war has diverted and will further divert a broad range of materials and services from the requirements of Canadian consumers to the requirements of war;

And whereas such diversion and the increasing purchasing power of consumers will, if unchecked, create undesirable inflation of prices and accompanying increase in the cost of living which may be followed by undesirable depression when such diversion ceases;

And whereas, therefore, it is deemed to be necessary and advisable for the security and welfare of Canada that maximum prices for all goods and services in Canada be fixed and that the regulations hereinafter set forth be made and established;

And whereas it is expedient and in the national interest that such regulations be administered by the Wartime Prices and Trade Board under its powers conferred by the Wartime Prices and Trade Regulations;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under and by virtue of the powers conferred on the Governor General in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and otherwise, is pleased to make the following regulations and they are hereby made and established accordingly:—

REGULATIONS

TITLE

1. These regulations and any amendment or addition thereto may be cited as *The Maximum Prices Regulations*.

INTERPRETATION

2. (1) For the purposes of these regulations, unless the context otherwise requires,

- (a) "basic period" means the four weeks from September 15, 1941, to October 11, 1941, both inclusive;
- (b) "Board" means the Wartime Prices and Trade Board;
- (c) "goods" includes any articles, commodities, substances or things;
- (d) "order" means an order of the Board;
- (e) "price" includes the price of goods and the rate, rental or charge for the hire or use of any goods or for the supplying of any services, and the Board shall be the sole judge of what shall constitute or be included in any price, rate, rental or charge;

- (f) "regulation .. means any of these regulations;
- (g) "requirement" means any written notification by the Board to any person requiring performance by such person of any specified act or requiring such person to refrain from performing any specified act;
- (h) "sale" includes sales, dispositions, exchanges, leases and other transfers of goods, the supplying or performing of services, and contracts to do any of the foregoing; and the words "sell", "seller", "buy", "buyer", and "purchase" shall have a similarly extended meaning;
- (i) "services" means the following specified services and any services associated therewith or ancillary, thereto, and also any activities or undertakings that may hereafter be designated by the Board as services for the purposes of these regulations:
 - (i) the supplying of electricity, gas, steam heat and water;
 - (ii) telegraph, wireless and telephone services;
 - (iii) the transportation of goods and persons, and the provision of dock, harbour and pier facilities;
 - (iv) warehousing and storage;
 - (v) undertaking and embalming;
 - (vi) laundering, cleaning, tailoring and dressmaking;
 - (vii) hairdressing and beauty parlour services;
 - (viii) plumbing, heating, painting, decorating, cleaning and renovating;
 - (ix) repairing of all kinds;
 - (x) the supplying of meals, refreshments and beverages;
 - (xi) the exhibiting of moving pictures.

(2) His Majesty in right of the Dominion of Canada or in right of any province thereof shall be bound by the provisions of these regulations.

MAXIMUM PRICES

3. (1) No person shall, on or after November 17, 1941, sell or supply or offer to sell or supply any goods or services at a price that is higher than the maximum price for such goods or services as provided in these regulations, unless otherwise permitted under the provisions of these regulations.

(2) The maximum price at which any person may sell or supply any goods or services shall be the highest lawful price at which such person sold or supplied goods or services of the same kind and quality during the basic period; provided, however, that any differences in price which he has customarily and lawfully allowed to different classes of buyers or for different quantities or under different conditions of sale and which result in a lower net price per unit of goods or services shall be continued.

(3) The maximum price at which any person may sell or supply any goods or services of a kind or quality not sold or supplied by him during the basic period shall be the same as the maximum price of goods or services of a substantially similar kind and quality sold or supplied by him during the basic period; and in any case in which the question arises as to the lawful price for any such goods or services the onus of proving the existence and extent of any relevant and substantial similarity or dissimilarity alleged by the seller or supplier shall be upon him.

(4) Nothing in this Section shall be construed so as to prevent any person from selling, supplying or offering to sell or supply any goods or services at a price lower than the maximum price.

(5) Where a contract to supply any goods or services was entered into prior to the basic period or subsequent to the basic period but prior to

November 17, 1941, at a price higher than the maximum price as provided in these regulations, the price for any goods or services supplied under such contract on or after November 17, 1941, shall be reduced to such maximum price.

(6) No person shall impose any terms or conditions of sale, or alter any terms or conditions of sale imposed or agreed to by such person during the basic period or customarily imposed or agreed to by such person, in such way as to increase the price of any goods or services.

(7) For the purposes of these regulations, each separate place of business of a seller or supplier shall be deemed to be a separate seller or supplier.

(8) Nothing contained in these regulations shall be deemed to supersede any provision of any order heretofore made by the Board or to derogate from any power conferred on the Board by the Wartime Prices and Trade Regulations and, without restricting the generality of this provision, the Board, in its discretion, may vary any maximum price, may prescribe other or additional terms or conditions of sale, may exempt any person or any goods or services or any transaction wholly or partly from the provisions of these regulations, and may withdraw any such exemption or any exemption contained in Section 4 of these regulations, either generally or in specific cases and subject to such terms and conditions as the Board may prescribe.

4. The provision of Section 3 of these regulations shall not apply with respect to:

- (a) any sale of goods for export where such export is made by the seller or his agent;
- (b) any sale to the Department of Munitions and Supply or any agency thereof;
- (c) the sale by any person of his personal or household effects;
- (d) isolated sales of goods or services by any person not in the business of selling or supplying such goods or services;
- (e) bills of exchange, securities, title deeds and other similar instruments;
- (f) sales of goods by auction in cases where such procedure is the normal practice and is followed in good faith and without any intention of evading or attempting to evade the provisions of these regulations;
- (g) any price fixed by the Board, or fixed or approved by any other federal, provincial or other authority with the written concurrence of the Board.

5. (1) Where under any other law any federal, provincial or other authority has jurisdiction with respect to prices, or with respect to the supplying of or trading in goods or services, such jurisdiction shall not be deemed to be superseded by these regulations or by any action of the Board, except that any action heretofore taken or that may hereafter be taken under such jurisdiction which is repugnant to any of the provisions of these regulations or to any action of the Board pursuant to its powers shall be of no force or effect so long as and to the extent that it is so repugnant.

(2) No such federal, provincial or other authority shall fix or approve any specific, minimum or maximum prices or markups in respect of any goods or services without the written concurrence of the Board.

6. Unless otherwise permitted under the provisions of these regulations, no person shall have any right to enforce or receive payment of any amount

in excess of the maximum price that may lawfully be charged and any person who pays such an excess may recover the amount thereof, notwithstanding that such person may have been guilty of an offence in paying such excess.

7. No person shall buy or pay for or offer to buy or pay for any goods or services at a price which he knows or has reason to believe is higher than the maximum price which may lawfully be charged by the seller or supplier of such goods or services pursuant to these regulations.

8. Any person who contravenes or fails to observe any of these regulations or any order or requirement of the Board, or who enters into any transaction or arrangement designed for the purpose or having the effect of evading any provision of these regulations, shall be guilty of an offence and liable, upon indictment or upon summary conviction under Part XV of the Criminal Code, to a penalty not exceeding five thousand dollars, or to imprisonment for any term not exceeding two years or to both fine and imprisonment; and any director or officer of any company or corporation who assents to or acquiesces in any offence by such company or corporation against any such regulation, order or requirement shall be guilty of such offence personally and cumulatively with the said company or corporation.

9. These regulations shall be read and construed as one with the Wartime Prices and Trade Regulations.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing the Wartime Prices and Trade Regulations

Canada Gazette (Extra), 5th November, 1941

P.C. 8528

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 1st day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2516 of the 3rd day of September, 1939, the Wartime Prices and Trade Board was constituted and the Wartime Prices and Trade Board Regulations were made and established to provide safeguards under war conditions against any undue enhancement in the prices of food, fuel and other necessities of life, and to ensure an adequate supply and equitable distribution of such commodities;

And whereas by Order in Council P.C. 3998 of the 5th day of December, 1939, the said Regulations were amended and consolidated;

And whereas by amendment of Section 88 (a) of the Special War Revenue Act and by Order in Council P.C. 7373 of the 13th day of December, 1940, the provisions of such Regulations were extended and made to apply to the juris-

diction respectively conferred upon the Board in respect of the War Exchange Tax of 10 per cent on the value for duty of imported goods and in respect of goods specified in Schedules One and Two to the War Exchange Conservation Act, 1940;

And whereas by Order in Council P.C. 6834 of the 28th day August, 1941, the said Regulations were amended and consolidated, extending the jurisdiction of the Board to goods and services, providing that public control of the prices of goods and services should be exercised by or with the concurrence of the Board, and making provision for co-ordination with the Wartime Industries Control Board and Controllers appointed on the recommendation of the Minister of Munitions and Supply and for co-operation with other government departments and agencies;

And whereas by Order in Council P.C. 8527 of the 1st November, 1941, the Maximum Prices Regulations were made and established, to be administered by the Board under powers conferred by the Wartime Prices and Trade Regulations and, in order that the Board may more effectually perform its duties, it is deemed advisable that additional powers be conferred upon it, and that the latter Regulations be strengthened in some respects;

And whereas it is deemed advisable to consolidate the Regulations as amended and, to that end, to rescind such Regulations and to make and establish in substitution therefor the Regulations hereinafter set forth;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under and by virtue of the powers conferred on the Governor General in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927 and otherwise, is pleased to order and doth hereby order as follows:—

1. The Wartime Prices and Trade Board Regulations made by Order in Council P.C. 6834 of the 28th day of August, 1941, are hereby rescinded.

2. The Regulations hereinafter set forth are hereby made, established and substituted for the Regulations hereby rescinded.

3. The powers of the Wartime Prices and Trade Board and the provisions of the Regulations referred to in Section 88 (a) of the Special War Revenue Act and in Order in Council P.C. 7373 of the 13th day of December, 1940, shall be held and construed to be those contained in the Regulations hereby made and established.

REGULATIONS RESPECTING GOODS AND SERVICES IN TIME OF WAR

TITLE

1. These regulations and any amendment or addition thereto may be cited as The Wartime Prices and Trade Regulations.

INTERPRETATION

2. (1) For the purposes of these regulations, unless the context otherwise requires,

- (a) "Board" means the Wartime Prices and Trade Board;
- (b) "Controller" means a Controller who is a member of the Wartime Industries Control Board;
- (c) "goods" includes any articles, commodities, substances or things;
- (d) "licence" means a licence granted or issued by the Board under these regulations;

- (e) "markup" means the amount added to the cost price in figuring a selling price to cover overhead and profits;
- (f) "member" means a member of the Board;
- (g) "Minister" means the Minister of Finance;
- (h) "order" means an order of the Board;
- (i) "price" includes the price of goods and the rate, rental or charge for the hire or use of any goods or for the supplying of any services, and the Board shall be the sole judge of what shall constitute or be included in any price, rate, rental or charge;
- (j) "regulation" means any of these regulations and any amendment or addition thereto;
- (k) "requirement" means any written notification by the Board to any person, requiring performance by such person of any specified act or requiring such person to refrain from performing any specified act;
- (l) "sale" includes sales, dispositions, exchanges, leases and other transfers of goods, the supplying or performing of services, and contracts to do any of the foregoing; and the words "sell", "seller", "buy", "buyer", and "purchase" shall each have a similarly extended meaning;
- (m) "services" means the following specified services and any services associated therewith or ancillary thereto, and also any activities or undertakings that may hereafter be designated by the Board as services for the purposes of these regulations:
 - (i) the supplying of electricity, gas, steam heat and water;
 - (ii) telegraph, wireless and telephone services;
 - (iii) the transportation of goods and persons, and the provision of dock, harbour and pier facilities;
 - (iv) warehousing and storage;
 - (v) undertaking and embalming;
 - (vi) laundering, cleaning, tailoring and dressmaking;
 - (vii) hairdressing and beauty parlour services;
 - (viii) plumbing, heating, painting, decorating, cleaning and renovating;
 - (ix) repairing of all kinds;
 - (x) the supplying of meals, refreshments and beverages;
 - (xi) the exhibiting of moving pictures.

(2) Every offence that has been or is suspected to have been committed against any regulation, order or requirement shall, for the purposes of the Criminal Code, be deemed to be an offence that has been or is suspected to have been committed against the Criminal Code.

(3) Unless and until action is taken by the Board under these regulations which conflicts with action taken by a properly constituted authority under or pursuant to a statute of the Dominion of Canada or of a province or regulation made thereunder, these regulations shall not be construed as superseding such Dominion or provincial statute or regulations; provided that, subject to the provisions of subsection (2) of Section 4 of these regulations, no such authority shall fix or approve the specific or the maximum or the minimum price or markup at which any goods or services may be sold, offered for sale or supplied, or fix or limit, or approve the fixing or limiting of, the quantities of goods or of services that may be sold, supplied or distributed, except with the concurrence of the Board; and provided further that any action heretofore taken or that may hereafter be taken by any such authority which is repugnant to any of these regulations or to any action of the Board shall be of no effect so long as and to the extent that it is so repugnant.

3. (1) There shall be a Board, to be called the Wartime Prices and Trade Board, consisting of

(a) six members, being

(i) the Chairman and four members heretofore appointed by Order in Council and now in office, and

(ii) the Chairman of the Wartime Industries Control Board or, in his absence, such other member thereof as that Board may designate, and

(b) one temporary member, being that Controller or, in his absence, any person nominated by the Chairman of the Wartime Industries Control Board to represent that Controller, upon whom powers have been conferred under and by virtue of any Order in Council over any goods or services in respect of which action by the Wartime Prices and Trade Board is being considered, to serve as member during such consideration,

such members to hold office during pleasure.

(2) The Board may establish at any place or places in Canada such office or officers as are required for the discharge of the duties of the Board, and may provide therefor the necessary accommodation, stationery and equipment.

(3) The Board may, with the approval of the Governor in Council, appoint qualified persons to regulate, under the supervision of the Board, the supply and distribution of specified goods or services, and every such person heretofore or hereafter appointed shall have such of the powers of the Board as the Board may, from time to time, vest in him.

(4) The Board may, subject to the approval of the Governor in Council, appoint such officers, clerks and other persons as may be deemed necessary to assist the Board in the performance of its duties, and every person appointed under this or the next preceding subsection shall receive such remuneration as the Board shall, with the approval of the Governor in Council, determine.

(5) The Board may by agreement borrow the services of persons employed in any department or agency of the Government or employed by any company or individual, and may pay remuneration to such persons or reimburse their employer for all or part of their remuneration by way of specific payments or lump sum payments or otherwise, in such amount as may be approved by the Governor in Council.

(6) The Board shall hold its sessions and conduct its business and proceedings in such manner as may seem to it most convenient for the speedy and efficient discharge of its duties and may make such rules as may seem expedient for the conduct of its proceedings not inconsistent with the provisions of these regulations.

(7) The minutes of any meeting of the Board or any certified copy thereof or extract therefrom and any order, licence, requirement or other document issued by or on behalf of the Board shall, if signed by the Chairman or the Secretary or other authorized person, be conclusive evidence of any transaction or decision therein recorded, and any document purporting to be signed by the Chairman or the Secretary on behalf of the Board, shall in any proceedings in any Court, be received in evidence and accepted in the absence of evidence to the contrary as having been in fact signed by the Chairman or the Secretary.

(8) Any three members of the Board shall constitute a quorum.

(9) All expenses lawfully incurred under these regulations, including travelling expenses of the members of the Board, shall be payable out of moneys provided by Parliament.

4. (1) The Board shall have power

- (a) to investigate, of its own motion or on complaint, costs, prices, profits and stocks of goods and materials of any person engaged in the manufacture, importation, exportation, production, storage, transportation, supply or sale of any goods or services or any alleged or apparent offence against any regulation, and for the purpose of any such investigation the Board shall have all the powers of a commissioner appointed under the provisions of the Inquiries Act;
- (b) to enter any premises and to inspect and examine any or all books, records and stocks of goods and materials in the possession or control of any person engaged as aforesaid, and to require any such person to produce such books and records at any place before it or before any person appointed by it to investigate, and to take possession of and remove any or all of such books and records;
- (c) to require from time to time any person who manufactures, imports, exports, produces, stores, supplies or sells any goods or services to furnish in such form and within such time as the Board may prescribe written returns under oath or affirmation showing such information as the Board may consider necessary with respect to such goods or services;
- (d) to make public its findings or report in the case of any investigation or to withhold such publication if it considers the public interest would be better served by such withholding;
- (e) to refer to the Attorney-General of any province information respecting any alleged offence against any regulation, order or requirement;
- (f) to fix specific or maximum or minimum prices or specific or maximum or minimum markups at which any goods or services may be sold or offered for sale or supplied by manufacturers, importers, exporters, producers, jobbers, wholesalers, retailers, suppliers or other dealers; and to prohibit purchase, sale or supply at prices which are at variance with the prices so fixed; and any order made pursuant to this regulation shall apply throughout Canada unless otherwise provided therein;
- (g) to prescribe the terms and conditions under which any goods or services may be sold, offered for sale or supplied and to prohibit transactions except in accordance therewith;
- (h) to prescribe the terms and conditions under which any goods may be directly or indirectly sold, offered for sale or purchased on terms of deferred payment, and, to this end, to prescribe the terms and conditions under which any loan may be made to any person, the terms and conditions under which any contract or instrument respecting a sale on terms of deferred payment may be purchased, discounted or transferred, and the terms and conditions of advertising the sale or supply of goods or services; and to prohibit transactions or advertising except in accordance therewith;
- (i) to prescribe the kinds, models, types, qualities, sizes and quantities of any goods or services that may be sold or supplied and to prohibit sale or supply except in accordance with such prescription;
- (j) to require manufacturers, importers, exporters, producers, jobbers, wholesalers or retailers of, or other dealers in or suppliers of any goods or services to obtain licences from the Board; to issue, re-issue or refuse to issue licences to any such persons; to grant general licences; and to fix any fee payable on account of such licences; provided,

however, that the issue to any person of a licence shall not be deemed to affect the liability of such person to obtain a licence as required by any other statute or law of Canada or any province thereof;

- (k) to suspend or cancel a licence in any case where in the opinion of the Board the licensee has failed to comply with any regulation, order or requirement;
- (l) to fix or limit the quantities of any goods or services that may be bought, sold, supplied or distributed within prescribed periods of time and to prohibit purchase, sale, supply or distribution in excess of the quantities so fixed or limited;
- (m) to buy or sell any goods or services directly or through persons or agencies designated by the Board;
- (n) to require any person owning or having possession, control or power to dispose of any goods or services to deal with, dispose of or supply any such goods or services in such manner as may be prescribed by the Board;
- (o) to require any person producing, manufacturing, extracting, refining, processing, storing, transporting, importing, supplying or dealing in any goods or services to produce, manufacture, process, extract, refine, store, transport, supply or otherwise deal with any such goods or services in such manner and in such priority to any other business of that person as may be specified by the Board;
- (p) to take possession of any supplies of any goods, paying to the owners thereof such price as may, in default of agreement, be decided to be reasonable by the arbitration of a superior court judge of the province in which possession was taken, and to dispose of such goods in any manner;
- (q) for any purpose aforesaid, to enter into possession of and utilize any land, building, plant and equipment and to use any motive power available;
- (r) to require any person to perform such act in respect of any goods or services as is deemed by the Board to be desirable or to require any person to refrain from performing such act as is deemed by the Board to be undesirable, in order more effectually to enforce its orders or to exercise its powers respecting such goods or services.

(2) The powers vested in the Board by the next preceding subsection, with the exception of those contained in paragraph (f) thereof, shall not be exercised in respect of any articles, commodities, substances, goods, services or things over which or in respect of which a Controller is given authority, jurisdiction or power, except at the request or with the concurrence of the Chairman of the Wartime Industries Control Board; provided, however, that the fact of such request or concurrence shall not be questioned in any proceedings in any court, and no person shall be bound or entitled to enquire or to ascertain whether any such request or concurrence was made or given.

5. (1) The powers vested in the Board by paragraphs (a) and (b) of subsection (1) of Section 4 of these regulations may be exercised by any one member of the Board.

(2) The Board may appoint one or more persons to conduct investigations and every such person shall be vested with such of the powers aforesaid as the Board may confer on him.

(3) Each member of the Board and any other person so authorized by the Board shall have power to administer oaths and receive affidavits and statutory declarations.

6. It shall be the duty of the Board

- (a) to arrange, wherever possible through existing government agencies, for the assembling of required statistical data in relation to any part of any trade or industry regarding prices, costs, stocks of goods, volume of production, productive capacities, and related matters;
- (b) to refer to the Commissioner of the Combines Investigation Act any information relating to practices which may be violations of the Combines Investigation Act or of Section 498 of the Criminal Code, if, in the opinion of the Board, such practices impede the operation of these regulations;
- (c) to confer with manufacturers, wholesalers, retailers and suppliers as and when it is considered desirable by the Board with a view to enlisting their co-operation in ensuring reasonable prices, adequate supplies and equitable distribution of goods and services;
- (d) to recommend any additional measures it may deem necessary for the protection of the public with respect to goods or services; and in any case where the Board is satisfied that any kind of goods or services is being sold, offered for sale or supplied at a price that is higher than is reasonable and just, or is being unreasonably withheld from sale or supply or that the manufacture, production, transportation, sale, supply or distribution of such goods or services is being unduly prevented, limited or lessened, the Board may recommend that such goods or services be admitted into Canada free of duty or that the duty thereon be reduced to such amount or rate as will, in the opinion of the Board, give the public the benefit of reasonable competition; or to recommend that such remedial action be taken by way of removal or reduction of duties or taxes on goods or services or by way of the payment of subsidies or otherwise as it may deem desirable in the national interest for the purpose of restraining increases in the cost of living or of offsetting uncontrollable increases in costs provided that no such recommendation shall be made in respect of any articles, commodities, substances, goods, services or things over which or in respect of which a Controller is given authority, jurisdiction or power, except at the request or with the concurrence of the Chairman of the Wartime Industries Control Board.

OFFENCES, PENALTIES AND PROSECUTIONS

7. (1) No person shall sell or offer for sale or supply any goods or services at a price that is higher than is reasonable and just, or withhold any goods or services from sale or supply for a price that is higher than is reasonable and just and, in any case where a person engaged in business accused under this provision has not kept such books of account as are necessary to exhibit or explain his transactions, the onus shall be upon such accused person to establish that the price is reasonable and just; provided that if a specific or maximum price has been fixed by the Governor in Council or has been fixed or concurred in by the Board for the sale or supply of such goods or services, any price in excess of the price so fixed or concurred in shall be conclusively deemed to be higher than is reasonable and just; and provided further that if a specific or maximum markup has been fixed or concurred in by the Board for the sale or supply of such goods or services, any price which includes a markup in excess of the markup so fixed or concurred in shall be conclusively deemed to be higher than is reasonable and just.

(2) No person shall sell or supply or offer for sale or supply any goods or services at a price that is lower than a minimum price which has been fixed or concurred in by the Board or at a price that includes a markup less than a minimum markup which has been fixed or concurred in by the Board.

(3) No person, without the consent of the Board, shall acquire, accumulate or withhold from sale or supply any goods or services beyond an amount thereof reasonably required for the use or consumption of his household or for the ordinary purposes of his business.

(4) No person, without the consent of the Board, shall unduly prevent, limit or lessen the manufacture, production, transportation, sale, supply or distribution of any goods or services.

(5) No person shall in any manner impede or prevent or attempt to impede or prevent any investigation or examination instituted by the Board.

(6) No manufacturer, importer, exporter, producer, wholesaler, jobber, retailer, supplier or other dealer shall sell, supply or offer for sale or supply, or ship, distribute or deal in any goods or services in respect of which a licence is required or granted unless he has a licence from the Board which is in full force and effect.

(7) No person shall, with intent to evade the provisions of these regulations, destroy, mutilate, deface, alter, secrete or remove any books, records, or property of any kind.

(8) No person shall deceive or mislead the Board or any officer of customs or excise or any police officer or any employee or agent of the Board or any other person concerned in the administration of these regulations, with reference to any matter affected by these regulations.

(9) No person shall buy or pay for or offer to buy or pay for any goods or services at a price which he knows or has reason to believe is higher than the maximum price which may lawfully be charged by the seller or supplier of such goods or services pursuant to these regulations, or is lower than the minimum price (if any) which may lawfully be accepted by the seller or supplier, or is different from the specific price (if any) for such goods or services pursuant to these regulations.

(10) No person shall aid or abet the commission of any offence under these regulations or attempt to commit or do any act preparatory to the commission of an offence under these regulations.

8. Any person who contravenes or fails to observe any regulation, order or requirement or makes any false statement in any return made pursuant to any regulation, order or requirement, shall be guilty of an offence and liable, upon indictment or upon summary conviction under Part XV of the Criminal Code, to a penalty not exceeding five thousand dollars, or to imprisonment for any term not exceeding two years, or to both fine and imprisonment; and any director or officer of any company or corporation who assents to or acquiesces in any offence by such company or corporation against any regulation, order or requirement shall be guilty of such offence personally and cumulatively with the said company or corporation.

9. (1) No prosecution for a contravention or non-observance of any regulation, order or requirement shall be commenced without the written leave of the Board or of the Attorney-General of the province in which the offence is alleged to have been committed.

(2) A prosecution for any contravention or non-observance of any of these regulations or for any contravention or non-observance of any regulation, order or requirement of the Board made pursuant to authority conferred by these regulations or by any other Order in Council or Act of Parliament may be commenced within twelve months from the date on which the offence is alleged to have been committed.

10. (1) Where any person is charged with an offence under these regulations, it shall not be necessary for the prosecuting authority to establish that

the person so charged did not possess or had not been granted a licence, or had not been exempted from the relative provisions of these regulations, or had not received the permission of the Board for any act of omission, and if the person so charged pleads or alleges that he had or had been granted any such licence or had been so exempted or had received such permission, the burden of proof thereof shall be on the person so charged.

(2) For the purposes of the prosecution of a person for an offence under these regulations the offence shall be deemed to have been committed either at the place where it was actually committed or at any place in Canada in which the offender resides or carries on business or is found or apprehended or is in custody.

GENERAL PROVISIONS

11. (1) Any decision or action of the Board if expressed in the form of an order published in the *Canada Gazette*, which order shall take effect on a date to be specified therein not earlier than the date of publication in the *Canada Gazette*, shall have the same force and effect as if the same were expressly set forth herein; provided, however, that the Board shall not be precluded from exercising otherwise than by the making of orders any of the powers of the Board.

(2) General or specific instructions issued by the Board to any person acting as agent of or under the authority or direction of the Board or holding any licence under these regulations, or to any person engaged in any transaction or business affected by these regulations shall, with respect to such person and any other person having notice thereof, have the same force and effect as if contained in an order made and published as provided in the next preceding subsection.

12. Unless exempted by the Board, every person carrying on business who engages in any transactions which are affected by the provisions of these regulations shall keep books of account and other records thereof in Canada (unless the Board expressly permits the same to be kept outside Canada) showing clearly and fully the nature of such transactions, and in particular every person who sells or supplies or offers for sale or supply any goods or services shall keep adequate books of account and other records available for inspection showing clearly and correctly his prices and terms and conditions of sale.

13. No person shall have any right to receive payment of more than the amount of any specific or maximum price prescribed under these regulations or fixed or concurred in by the Board, and any person who pays any greater amount may recover the excess notwithstanding that such person may have been guilty of an offence in so paying such greater amount.

14. No person shall have any rights or remedies against and no action shall lie or be brought against any member, officer, clerk or employee of the Board, or any person acting under the direction of the Board, in respect of any act or omission of such person on or after September 3, 1939, which was required or which he believed in good faith to have been required by these regulations or any regulations for which these regulations are substituted or by any order or requirement of the Board.

15. Any goods which any person buys or sells or in any way deals with or attempts to buy or sell or in any way deal with contrary to these regulations may (in addition to any other penalty which may have been imposed on any person or to which any person may be subject, with relation to such unlawful act or omission, and whether or not any prosecution in relation thereto has been commenced) be seized and detained and shall be liable to forfeiture at the

instance of the Minister of Justice upon proceedings in the Exchequer Court of Canada or in any Superior Court, subject, however, to a right of compensation on the part of any innocent person interested in such property at the time it became liable to forfeiture or who acquired an interest therein subsequent to such time as a bona fide transferee for value without notice, which right may be enforced in the same manner as any other right against His Majesty.

16. The Board shall report to the Minister as and when required to do so by the Minister.

17. These regulations shall be read and construed as if they included the Maximum Prices Regulations.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations respecting herring fishing operations

Canada Gazette, 15th November, 1941

P.C. 8529

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 4th day of November, 1941.

PRESENT:

HIS EXCELLENCE

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council of September 2nd, 1941, P.C. 6950, regulations were made for the purpose of safeguarding the requirements of the British Government under an arrangement whereby 35,000 long tons of canned herring would be produced for and be purchased by the British Government through the Canadian Government;

And whereas the Minister of Fisheries reports that in furtherance of the measures so provided, it is now deemed essential, to assist in assuring production of the required quantity of canned herring, that authority be available by which cessation or modification of herring fishing operations may be immediately required in any area or areas, as may be necessary, should the herring catch be greater than it is possible with existing facilities to properly process by canning.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Fisheries, and under and by virtue of the power conferred upon the Governor in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to amend the regulations established by Order in Council of September 2nd, 1941, P.C. 6950, and they are hereby amended by adding thereto the following paragraph:—

11. In order that essential supplies of herring may be preserved for the production of required volume of canned herring for the British Ministry of Food or otherwise, the Chief Supervisor of Fisheries for British Columbia, upon ascertaining that the catch of herring in any area or areas is greater than the capacity of existing facilities of registered canned herring producers to properly process by canning, and subject to the approval of the Minister of Fisheries, may order cessation or modification of herring fishing operations

forthwith in such area or areas for such period, or from time to time, as may be necessary to safeguard the requirements for the aforesaid canned production; and any person, or company, contravening any order issued pursuant to this regulation, shall be liable upon summary conviction to a fine not exceeding \$500, and any vessel operated or used in such contravention, together with the catch of fish, shall be liable to forfeiture to His Majesty.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council extending preference, in matter of appointments to Civil Service, to ex-service men of present war

P.C. 8541½

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 1st day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Sections 29 and 30 of the Civil Service Act, Chapter 22 of the Revised Statutes of Canada, 1927, provide preference, in the matter of appointments to the Public Service, to persons who during the Great War served with the forces of His Majesty or any of the allies of His Majesty;

And whereas the Special Committee of the House of Commons on the Pension Act and the War Veterans' Allowance Act, having heard evidence on the matter of extending such preference to persons who have served or may serve with the forces referred to herein, recommended as follows in its Report of the 11th June, 1941:—

“That the statutory preference granted to certain categories of ex-service men under Section 29, Subsection 4 of the Civil Service Act (Chapter 22—1927) should be extended to ex-service men of the present war who were resident in Canada prior to such service.”

And whereas, in view of the number of persons who have been discharged from the forces after honourable service during the present war, and who are now available for and desirous of securing employment in the Public Service, and having in mind the advantages to be derived from such method of re-establishment, it is considered that such preference should now be made available to such persons who, at the time of their enlistment, were resident in Canada.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health, concurred in by the Secretary of State, and under the authority of the War Measures Act, Chap. 206, Revised Statutes of Canada, 1927, and notwithstanding anything to the contrary contained in the Civil Service Act or any other act or regulation, is pleased to make the following regulation and it is hereby made and established accordingly,—

REGULATION

The provisions of Sections 29 and 30 of the Civil Service Act, Chapter 22 of the Revised Statutes of Canada, 1927, shall apply to persons who have served with the naval, military and air forces of His Majesty and any of His Majesty's allies during the war with the German Reich which, for the purpose of this regulation, shall be deemed to have commenced on the first day of September, one thousand nine hundred and thirty-nine, and when any persons who have served as aforesaid have died owing to such service, to the widows of such persons; provided such persons were residents of Canada at the time they became members of such forces.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending P.C. 7191, Sept. 12, 1941, control of rubber

P.C. 8545

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 4th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 6391 of 19th August, 1941, provision was made for the appointment of a Controller of Supplies, and regulations respecting supplies were established, by virtue of which certain powers and duties were conferred or charged upon the Controller of Supplies;

And whereas by an Order of 26th August, 1941, the Minister of Munitions and Supply designated rubber and silk as therein defined as "supplies";

And whereas by Order in Council P.C. 7191 of 12th September, 1941, rubber is defined and restrictions are placed on the sale of rubber in Canada;

And whereas an Order has been made by the Controller of Supplies regulating *inter alia* the sale and distribution of rubber in Canada, and the Controller of Supplies advises that, in order to facilitate the effective operation of his said Order it is necessary that Order in Council P.C. 7191 be amended in the manner hereinafter provided;

Now therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under and by virtue of the powers conferred on the Governor General in Council by the Department of Munitions and Supply Act and by the War Measures Act, is pleased to amend Order in Council P.C. 7191, of 12th September, 1941, and it is hereby amended as follows:

1. Paragraph (d) of section 1, is hereby rescinded and the following substituted in place thereof.

"(d) 'rubber' means crude natural rubber in all its forms excepting guayule and, without restricting the generality of the foregoing, includes liquid latex of natural rubber not compounded beyond the addition of preservative, unmanufactured crude balata and unmanufactured gutta percha."

2. Section 2 is hereby rescinded and the following substituted in place thereof:

" 2. After the 12th day of September, 1941, no person shall import rubber into Canada, except under permit issued by the Minister of National Revenue."

3. Section 3 is hereby rescinded and the following substituted in place thereof:

" 3. Fairmont may buy rubber from any person, but, after the 12th day of September, 1941, no other person shall buy rubber from any person other than Fairmont, except under a permit in writing issued by the Controller."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations respecting the inspection and grading of flax fibre

P.C. 8590

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 4th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Agriculture reports that the British Ministry of Supply has agreed to purchase fifty per cent of the Canadian 1941 production of each grade suitable for its purpose of flax fibre and tow;

That the British Ministry has indicated a very definite interest in the control which will be exercised by the Government of Canada to insure that the part of the crop purchased by it will represent a cross section of the several grades;

That to enable its members to dispose of the crop in strict accordance with the terms of the agreement with the British Ministry, the Canadian Flax Growers' Association, representing the twenty-seven mills now processing flax in Canada, has requested the Government to undertake the inspection of fibre flax and to establish grades therefor; and

That the grading under supervision of fibre flax processed in Canada is essential to orderly marketing of the product in the United Kingdom and other export markets.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to make the regulations hereto attached, with respect to the inspection and grading of flax fibre and they are hereby made and established accordingly.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

REGULATIONS RESPECTING THE INSPECTION AND GRADING OF FLAX FIBRE

1. These regulations and any addition to or amendment thereof shall be known as Flax Fibre Regulations.
2. In these regulations, unless the context otherwise requires,
 - (a) "Department" means the Department of Agriculture.
 - (b) "Flax" includes line fibre, tow, tossed flax, pluckings and any other product of flax straw that may be designated.
 - (c) "Grade" means the classification of flax according to the required standards and "Grade" or "Grading" shall have a corresponding meaning.
 - (d) "Inspector" means any official appointed or designated by the Minister to perform as such certain specified duties under these regulations.
 - (e) "Minister" means the Minister of Agriculture.
 - (f) "Standard" means those rules, tests, measures or specifications by which the quality or grade of flax is determined.
3. The Minister may, with respect to flax processed or sold in Canada, make regulations—
 - (a) providing standards of quality and grades;
 - (b) respecting inspection, grading, labelling, branding, certification, marking and detention and the manner thereof;
 - (c) prescribing from time to time the quantity, quality or grade of flax that may be sold;
 - (d) requiring any person or class of persons engaged in grading or sorting flax to obtain a licence upon such terms or conditions as may be deemed desirable;
 - (e) requiring any flax processing mill to register with the Department and to prescribe the terms and conditions upon which such registration shall be granted;
 - (f) prescribing fees for registrations, licences, grading and inspection services;
 - (g) providing for the issuance, renewal, suspension or cancellation of registrations, licences or certificates;
 - (h) respecting records to be kept and reports to be made to the Department by persons processing, grading, selling or shipping flax;
 - (i) with respect to any other matter deemed necessary for the efficient enforcement of these regulations.
4. There may be appointed in the manner authorized by law, a Senior Flax Inspector at a salary not exceeding \$200 per month and not more than five Regional Flax Inspectors at salaries not exceeding \$150 per month.
5. Any flax product found to be labelled, offered for sale or sold in contravention of any regulation established hereunder, may be detained by an inspector and held at the expense of the owner until full compliance with the regulation is effected; provided that if such compliance is not completed within 21 days, after the date of detention, the product may be confiscated and disposed of as the Minister may direct.
6. All salaries, administration, travelling or other expenses of any official of the Department or of the Senior Flax Inspector or Regional Flax Inspectors

relating to his or their duties under these regulations shall be chargeable to and paid out of funds allotted to the Agricultural Supplies Board from the War Appropriation.

7. Any pecuniary penalty imposed upon conviction for violation of any regulation established hereunder shall belong to His Majesty and shall be paid by the Magistrate, or officer receiving same, to the Receiver General of Canada and form part of the Consolidated Revenue Fund of Canada.

8. Any person who—

- (a) contravenes any regulation established hereunder;
- (b) assaults, interferes with or obstructs any inspector or other official of the Department in the performance of his duties;
- (c) refuses entry to any inspector or other official of the Department to any building, warehouse, or other premises;
- (d) operating under these regulations, refuses, or neglects to keep proper books or records relating to his operations or refuses access to books or records to any inspector or official of the Department;
- (e) except as may be authorized, changes, alters, effaces or obliterates or causes to be changed, altered, effaced or obliterated any label or mark of any kind attached to any flax which has been inspected and graded;
- (f) exchanges or substitutes any flax for any flax that has been graded and inspected;
- (g) after his registration or licence has been suspended or cancelled, ships or transports any flax;
- (h) moves or causes or allows to be moved any flax which has been seized or detained by an inspector;
- (i) misbrands or misrepresents any flax;
- (j) ships or transports any flax which has not been inspected, graded, labelled and marked properly in accordance with the standards and grades established hereunder;

shall be guilty of an offence and liable upon summary conviction in the case of a first offence, to a fine of not less than \$50 and in the case of a second or subsequent offence to a fine of not less than \$100 or to imprisonment for a term of not less than one month and not exceeding three months with or without hard labour or to both fine and imprisonment.

9. Regulations established hereunder shall be effective from the date prescribed therein and shall be published in the *Canada Gazette*.

Order in Council amending P.C. 2584, Sept. 7, 1939, as amended—leave of absence granted employees of Public Service while on active service

P.C. 13/8600

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 5th November, 1941.

The Board had under consideration a memorandum from the Honourable the Minister of Finance reporting that:—

- "(1) Under the provisions of Order in Council P.C. 2584 of September 7th, 1939, as amended, leave of absence without pay and certain other privileges may be granted an employee of the Public Service during the period he, as a member of the Naval, Militia or Air Forces, is placed on, or called into Active Service by the Governor in Council, or is called out for service by the Minister of National Defence.
- (2) The question has been raised as to the application of the above mentioned Order in Council to an employee, who has been called out for training pursuant to the National Resources Mobilization Act, 1940, during the period he is attached to a Training Centre, but has not become a member of the Canadian Army (Active) or been called out for service by the Minister of National Defence.
- (3) Reserve Army (Special) Regulations provide that such persons defined as "R" Recruits shall, except as otherwise provided therein, have all the rights of, and be governed by, the same laws, orders and regulations as a member of the Military Forces while they are on Active Service.
- (4) It is considered desirable for the purposes of clarity to amend Order in Council P.C. 2584 to specifically include such persons under its provisions.

Accordingly, the undersigned has the honour to recommend that Order in Council dated 7th September, 1939, P.C. 2584, as amended, apply to persons who have been called out for military training pursuant to the National Resources Mobilization Act, 1940, during the period they are attached to a Training Centre by reason of their having been so called out, effective 25th February, 1941."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council approving claims arising out of traffic accidents, involving
United Kingdom and Canadian naval and Air Force vehicles**

P.C. 40/8600

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
5th November, 1941.*

The Board had under consideration a memorandum from the Honourable the Associate Minister of National Defence reporting:—

"That by Order in Council dated 6th September, 1941, P.C. 50/6954, Your Excellency in Council was pleased to approve that, in respect of traffic accidents occurring in the United Kingdom and which may occur abroad, involving United Kingdom and Canadian Army vehicles, any claims arising out of any such accidents be dealt with as follows:

- (1) Damage to vehicles, stores or other property whether British or Canadian, on 'knock for knock' basis (on a basis of mutual forbearance);
- (2) Where injuries to Service personnel arise out of such accidents, each Government to bear its own expenses and non-effective charges;
- (3) Claims by third parties arising out of such accidents to be settled and paid for in equal shares by British and Canadian Governments;

With the proviso that all cases of claims by third parties shall, with regard to the amount of settlement, be subject to the approval of the Canadian Claims Commission (Overseas) established by Order in Council dated 11th April, 1941, P.C. 29/2544.

That the High Commissioner for Canada in the United Kingdom has advised that the Admiralty are desirous that claims arising out of accidents in which Naval vehicles are involved be dealt with in the manner aforesaid.

That in the opinion of the undersigned it would be consistent that claims arising out of accidents in which Air Force vehicles were involved be dealt with in like manner.

To that end, the undersigned has the honour to recommend that, under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Statute or Law, Your Excellency in Council be pleased to order that the provisions of Order in Council dated 6th September, 1941, P.C. 50/6954, shall extend to claims arising out of traffic accidents in which United Kingdom Naval or Air Force vehicles and Canadian Naval or Air Force vehicles are involved and that detailed arrangements in connection therewith be made by the Canadian High Commissioner in London with the respective authorities in the United Kingdom in the manner set out in the said Order in Council."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council approving procedure, claims involving Canadian Naval Forces and personnel within the territorial waters of Great Britain and the continent of Europe

P.C. 52/8600

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 5th November, 1941.

The Board had under consideration a memorandum from the Honourable the Acting Minister of National Defence for Naval Services reporting:—

"That by an Order in Council dated 19th May, 1941, P.C. 11/3550, Your Excellency in Council was pleased to order that the regulations made and established by Order in Council dated 11th April, 1941, P.C. 29/2544, should apply to Canadian Naval Forces and the personnel thereof serving in the United Kingdom or on the Continent of Europe to the same extent and in like manner as they previously applied to or in respect of Canadian Military and Air Force personnel.

That, in consequence, claims made by or against the Crown in the right of the Dominion of Canada and involving Canadian Naval Forces and the personnel thereof in the United Kingdom or on the Continent of Europe are required to be dealt with by the Canadian Claims Commission (Overseas) in pursuance of the regulations made and established by the said Order in Council dated 11th April, 1941, 29/2544.

That the High Commissioner for Canada in the United Kingdom has advised that, pursuant to the foregoing, the Canadian Claims Commission (Overseas) is required to deal with claims involving Canadian Naval Forces arising as a result of accidents, collisions and like incidents occurring within the territorial waters of Great Britain and the Continent of Europe and that after consideration the Senior Officer at Canadian Military Headquarters in Great Britain and the Captain Commanding Canadian Ships and Establishments in the United Kingdom are of the opinion that such claims should be dealt with in accordance with Admiralty practice and not by the Canadian Claims Commission (Overseas), the main reason therefor being that such matters could more appropriately be dealt with by qualified Naval Officers, surveyors or experts, as the case may be. The High Commissioner, concurring in this opinion, has recommended that the necessary action be taken to remove such matters from the jurisdiction of the Canadian Claims Commission (Overseas).

The undersigned concurs in this recommendation and has the honour to recommend that Your Excellency in Council, under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Law or Regulation, be pleased to order that the regulations made and established by Order in Council dated 11th April, 1941, P.C. 29/2544, shall not apply in respect of claims involving Canadian Naval Forces or the personnel thereof arising as a result of accidents, collisions and like incidents occurring within the territorial waters of Great Britain and the Continent of Europe, and that all such claims shall be dealt with according to Admiralty practice subject to prior reference and approval in each case by or on behalf of the Minister of National Defence for Naval Services, and that the provisions of Order in Council dated 19th May, 1941, P.C. 11/3550, be deemed to be amended accordingly."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council approving remission of customs duty or excise taxes on munitions—P.C. 56/5484 revoked

P.C. 57/8600

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 5th November, 1941.

The Board recommend that authority be granted, under Section 3 of the War Measures Act, for the following Customs duty and Excise Tax concessions, effective August 1, 1940, with respect to military, naval and air supplies and equipment acquired by the Governments of countries allied with the United Kingdom, or by the Government of the United States of America, or by units of their armed forces, and which goods are to become and remain the property of the aforementioned:—

- (1) Remission or refund of Customs duty and Excise taxes paid or ordinarily payable on goods imported;
- (2) Remission or refund of Excise taxes paid or ordinarily payable on goods purchased from licensed manufacturers or from licensed wholesalers in Canada;
- (3) Remission or refund of Excise taxes paid or payable on goods purchased from other than licensed manufacturers or licensed wholesalers, provided that the bill or invoice for such goods is for an amount over twenty-five dollars (\$25).

Provided, that arms and ammunition, including guns, machine-guns, submachine-guns, rifles, revolvers, signal pistols, grenades, explosives and pyrotechnics in any form, bombs, aerial torpedoes, tail fins, fuses and detonators, may be imported or purchased in Canada only under authority, direction and control of the Minister of National Defence.

Provided further, that if and when any of the said goods, in respect of which remission or refund of Customs duty or Excise taxes has been obtained, are sold or otherwise disposed of, either prior to or subsequent to the close of the war, they shall become subject to any Customs duties or Excise taxes ordinarily applicable at time of their disposal, unless the goods are exported or destroyed, and the person who acquires the goods, whether by purchase or otherwise, shall pay, when he obtains possession thereof, the said duties and taxes, levied at the rates then in effect, on values as determined by a Dominion Customs Appraiser or by an Excise Tax Auditor, as the case may be.

It is also recommended that this Order in Council shall supersede and cancel Order in Council (P.C. 56/5484) dated 23rd July, 1941.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council declaring importation of cork and cork products subject to permit

Canada Gazette, 15th November, 1941

P.C. 8648

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 7th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, the Minister of Finance reports, that commercial cork, including cork wood in a natural or semi-processed state, has been designated by the Minister of Munitions and Supply as "supplies" within the meaning of the Regulations Respecting Supplies, and

That the Controller of Supplies recommends that, for the purpose of controlling and regulating supplies of commercial cork, the importation of cork and cork products be made subject to permit.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, concurred in by the Minister of Munitions and Supply, and under the powers conferred on the Governor General in Council by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order as follows:—

The importation into Canada of the goods enumerated and described hereunder is hereby prohibited after November 8th, 1941, except under and in accordance with the terms of a permit issued by, or on behalf of, the Minister of National Revenue;

Cork, being commercial cork including cork wood or bark in a natural, ground, milled, processed or semi-processed state;

Cork Products, being articles or products of which cork constitutes fifty per cent or more by volume of the component materials or of which cork constitutes the single component material of chief value, and including floor coverings made in whole or in part of cork and bottle tops or crowns lined with cork.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations respecting flour and feeds

P.C. 8671

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 7th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 8097, dated the 22nd day of October, 1941, under the authority of the War Measures Act, regulations respecting Flour

and Feeds and the powers and duties of the Flour and Feeds Administrator were made.

And whereas in sub-clause (6) of clause 6 of the said regulations which reads as follows:—

“(6) No manufacturer, miller, importer, exporter, wholesaler, jobber, retailer, supplier or other dealer shall sell, supply or offer for sale or supply, or ship, distribute or deal in *any goods or services* in respect of which a licence is required unless he has a licence from the Flour and Feeds Administrator which is in full force and effect.”

The words “any goods or services” were inadvertently used in lieu of the words “flour or feeds”.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act, is pleased to rescind and doth hereby rescind sub-clause (6) of clause 6 of the said regulations, and substitute the following therefor:

“(6) No manufacturer, miller, importer, exporter, wholesaler, jobber, retailer, supplier or other dealer shall sell, supply or offer for sale or supply, or ship, distribute or deal in flour or feeds in respect of which a licence is required unless he has a licence from the Flour and Feeds Administrator which is in full force and effect.”

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prohibiting importation of certain chemicals

Canada Gazette, 15th November, 1941

P.C. 8673

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 7th day of November, 1941.

PRESENT:

HIS EXCELLENCE

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Controller of Chemicals recommends that the importation of the strategic chemicals hereinafter enumerated be made subject to permit, for the purpose of facilitating administration of the control exercised within Canada in respect of the said chemicals;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, concurred in by the Minister of Munitions and Supply, and under the powers conferred by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order as follows:—

The importation into Canada of the goods enumerated hereafter is hereby prohibited after November 8th, 1941, except under and in accordance with the terms of a permit issued by, or on behalf of, the Minister of National Revenue:

Acetone
Amyl Acetate

Amyl Alcohol
Butyl Acetate
Butyl Alcohol
Butyl Carbitor (Diethylene Glycol Monobutyl Ether)
Butyl Cellosolve (Ethylene Glycol Monobutyl Ether)
Butyl Lactate
Carbitol (Diethylene Glycol Monoethyl Ether)
Carbitol Acetate (Diethylene Glycol Monoethyl Ether Acetate)
Cellosolve (Ethylene Glycol Monoethyl Ether)
Cellosolve Acetate (Ethylene Glycol Monoethyl Ether Acetate)
Diethanolamine
Diethylene Glycol
Dibutyl Phthalate
Ethyl Acetate
Ethyl Lactate
Ethylene Dichloride
Ethylene Glycol
Glycerine
Hexone (Methyl Isobutyl Ketone)
Isopropanol (Isopropyl Alcohol)
Methyl Cellosolve (Ethylene Glycol Monomethyl Ether)
Methyl Ethyl Ketone
Nonoethanolamine
Tricresyl Phosphate
Triethanolamine.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council suspending certain clause of Savings Bank Act for duration of the war

P.C. 8677

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 7th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Postmaster General reports the necessity for a change in the operation of a detail of the Savings Bank Act, which provides that deposits in the Post Office Savings Bank shall not be received in amounts less than \$1, or in sums not multiples of \$1.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Postmaster General, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased hereby, to authorize the Post Office Department to accept for deposit in the Post Office Savings Bank sums which are not multiples of \$1 when such deposits exceed \$1 in amount, and further to order that the operation of the above mentioned clause in the Savings Bank Act be and it is hereby suspended for the duration of the war.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council extending powers and duties of Wool Administrator

P.C. 8707

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 7th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 2734 of September 18, 1939, the appointment of David C. Dick was approved as Wool Administrator;

And whereas by Order in Council P.C. 3555 of July 30, 1940, regulations respecting wool as therein defined were established;

And whereas the Wartime Prices and Trade Board may deem it desirable to extend the range of goods and services for which the said Wool Administrator shall be responsible;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, is pleased to order and doth hereby order that the powers and duties of the Wool Administrator shall extend to such other goods and services as the Wartime Prices and Trade Board may from time to time designate and that he shall exercise such powers and perform such duties as the said Board may from time to time assign to him.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Wartime Prices and Trade Regulations
P.C. 8528, Nov. 1, 1941**

P.C. 8762

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 10th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under and by virtue of the powers conferred on the Governor General in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and otherwise, is pleased to amend the Wartime Prices and Trade Regulations made and established by Order in Council P.C. 8528 of the 1st day of November, 1941, and they are hereby amended, as follows,—

- (1) by deleting the words "six members" in paragraph (a) of subsection (1) of Section 3 and by substituting therefor the words "seven members";

- (2) by deleting clause (i) of such paragraph (a) and by substituting therefor new clause (i) as follows:
- “(i) The Chairman, the Associate Chairman and four members, appointed by Order in Council, and”;
- (3) by deleting the word “Chairman” wherever such word, referring to the Chairman of the Wartime Prices and Trade Board, otherwise appears in such regulations, and by substituting therefor the words “Chairman or Associate Chairman”.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council applying Civil Employment Reinstatement Regulations to members of C.W.A.C.

P.C. 49/8817

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 11th November, 1941.

The Board had under consideration a memorandum from the Honourable the Associate Minister of National Defence reporting:—

“That by an Order in Council dated 13th August, 1941, P.C. 6289, Your Excellency in Council was pleased to make and establish regulations relating to the formation, organization, government, discipline and other related matters of the Canadian Women’s Army Corps and that said regulations provided that while said Corps will be organized on a Military basis neither it nor the personnel thereof will form part of the Military Forces of Canada;

That the War Measures (Civil Employment Reinstatement) Regulations 1941, as made and established by Order in Council dated 27th June, 1941, P.C. 4758, do not extend to members of the said Canadian Women’s Army Corps as for the foregoing reasons their service in said Corps would not be ‘service in His Majesty’s Forces’ as said expression is defined in paragraph 2 (a) of the said regulations, but having regard to the nature of their service in the said Corps and to the fact that the same is organized on a Military basis, it is desirable that the War Measures (Civil Employment Reinstatement) Regulations 1941 apply to the members of the said Corps.

To that end the undersigned has the honour to recommend that Your Excellency in Council, under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada 1927, and notwithstanding the provisions of any other Act or Regulation, be pleased to order that the provisions of the War Measures (Civil Employment Reinstatement) Regulations 1941 shall apply to members of the Canadian Women’s Army Corps as if their service therein was ‘service in His Majesty’s Service’ as such expression is defined in paragraph 2 (a) of the said Regulations.”

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council authorizing effective date of Wartime Prices and Trade
Regulations to be Dec. 1, 1941**

Canada Gazette (Extra), 29th November, 1941

P.C. 8818

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 11th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Finance reports that he has received representations from the Wartime Prices and Trade Board to the effect that, for the purpose of ensuring the most effective administration and enforcement of the Maximum Prices Regulations established by Order in Council P.C. 8527 of the 1st day of November, 1941, it is desirable that the effective date of such Regulations be extended from November 17th, 1941, to December 1st, 1941.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under and by virtue of the powers conferred on the Governor General in Council by the War Measures Act and otherwise, is pleased to amend the Maximum Prices Regulations made and established by Order in Council P.C. 8527 of the 1st day of November, 1941, and they are hereby amended by deleting the word and figures "November 17, 1941" from subsections (1) and (5) of section 3 thereof and by substituting therefor the word and figures "December 1, 1941."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council clarifying regulations—calling of strikes,
P.C. 7307, Sept. 16, 1941**

Canada Gazette (Extra), 6th December, 1941

P.C. 8821

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 13th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports that it is necessary to clarify the regulations made by Order in Council dated 16th September, 1941 (P.C. 7307), and recommends that Section 3 thereof be amended by striking out the words "or whose employment might be affected by the proposed strike".

Now, therefore, His Excellency the Governor General in Council, is pleased to amend and doth hereby amend Section 3 of the regulations made by Order in Council, dated 16th September, 1941 (P.C. 7307), by deleting the words "or whose employment might be affected by the proposed strike"; the said section, as amended, to read as follows:—

"3. In any case in which the Minister makes an order or direction as aforesaid, all employees who in his opinion are affected by the dispute shall be entitled to vote and the voting shall take place within five days from the day upon which the Minister received notice that the employees desired to take a strike vote."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending regulations Wheat deliveries and sales,
P.C. 3849, May 30, 1941**

P.C. 8832

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 13th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, is pleased to amend the regulations respecting restriction of wheat deliveries and sales in Canada, as established by Order in Council P.C. 3849 of May 30th, 1941, and they are hereby amended by the addition to Regulation No. 18 of the following words:—

"Except such amounts of wheat as are taken to a mill for gristing for the farmer's own family use."

the said amendment having been recommended by the Canadian Wheat Board.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Wartime Prices and Trade Regulations,
P.C. 8528, Nov. 1, 1941**

P.C. 8837

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 13th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under and in virtue of the powers conferred

on the Governor General in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and otherwise, is pleased to amend the Wartime Prices and Trade Regulations made and established by Order in Council P.C. 8528 of the 1st day of November, 1941, as amended by Order in Council P.C. 8762 of the 10th day of November, 1941, and they are hereby further amended as follows:—

- (1) by deleting clauses (a) and (b) of subsection (1) of Section 3 and by substituting therefor new clauses (a), (b) and (c) as follows:
 - (a) the Chairman, the Associate Chairman and members, heretofore appointed by Order in Council, and such members as may be appointed hereafter by Order in Council, and
 - (b) the Chairman of the Wartime Industries Control Board, or, in his absence, such other member thereof as that Board may designate, and
 - (c) a temporary member or temporary members, being that Controller or those Controllers upon whom powers have been conferred under and by virtue of any Order in Council over any goods or services in respect of which action by the Wartime Prices and Trade Board is being considered, or, in the absence of any such Controller, any person nominated by the Chairman of the Wartime Industries Control Board to represent such absent Controller, to serve as member or members during such consideration; such members to hold office during pleasure;
- (2) by deleting the word "three" in subsection (8) of Section 3 and by substituting therefor the word "five".

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council recommending that the members of C.W.A.C. be eligible for Rehabilitation Grant

P.C. 8880

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 18th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council dated 13th August, 1941, P.C. 6289, regulations relating to the formation, organization, government, discipline and other related matters of the Canadian Women's Army Corps were made and established, which regulations provided that while said Corps will be organized on a military basis neither it nor the personnel thereof will form part of the Military Forces of Canada;

And whereas by Order in Council dated 19th December, 1940, P.C. 7521, as amended by Orders in Council dated 5th February, 1941, P.C. 890 and 19th May, 1941, P.C. 3544, regulations were made whereby, under the conditions set out in said Orders in Council, a Rehabilitation Grant will be payable to every member of the Naval, Military and Air Forces of Canada who has served

continuously on active service therein during the present war for a period of not less than 183 days on his retirement or discharge from any of the said Forces or upon his ceasing to serve on active service;

And whereas the provisions of the said Order in Council dated 19th December, 1940, P.C. 5721, as amended, do not extend to members of the Canadian Women's Army Corps, for as hereinbefore recited the personnel thereof do not form part of the Military Forces of Canada;

And whereas, having regard to the nature of their service in the said Corps and the fact that the Corps is organized on a military basis, the Associate Minister of National Defence recommends that the members of the Canadian Women's Army Corps be eligible for the said Rehabilitation Grant to the same extent and in like manner as if they were members of the Canadian Military Forces serving on active service;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Associate Minister of National Defence, and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Law or Regulation, is pleased to order and doth hereby order that the provisions of Order in Council dated 19th December, 1940, P.C. 7521, as from time to time amended, shall apply to every member of the Canadian Women's Army Corps, to the same extent and in like manner as if she were a member of the Military Forces of Canada serving on active service and as if the rank or appointment, as the case may be, held in the said Corps was a rank of appointment in the said Military Forces.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council approving arrangement for awards of decorations and medals—P.C. 1430, April 9, 1940, revoked

P.C. 8882

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 18th November, 1941.

The Committee of the Privy Council have had before them a report, dated 13th November, 1941, from the Minister of National Defence, representing with the concurrence of the Minister of National Defence for Air, the Minister of National Defence for Naval Services and the Secretary of State for External Affairs:

- (1) that by Order in Council P.C. 1430, dated April 9th, 1940, provision was made for awards of decorations, medals and commendations (including mentions in despatches), in accordance with certain arrangements which were subsequently approved by His Majesty the King;
- (2) that by Order in Council P.C. 3445, dated May 15, 1941, provision was made for extending the award of the George Cross and George Medal to Canadians, and that the principles and rules set forth in the Order in Council P.C. 1430, should extend to the award of the George Cross and George Medal;

- (3) that the arrangements governing the award of decorations, medals, and commendations, were made having in mind the circumstances of the war as they existed at the time, and are not conveniently applicable to the present state and disposition of His Majesty's Armed Forces, including His Majesty's Canadian Armed Forces;
- (4) that it is expedient to revoke the provisions of Order in Council P.C. 1430 and to substitute therefor arrangements involving a simplified procedure.

The Minister of National Defence, therefore, with the concurrence as aforesaid, recommends:

1. That, subject to the approval of His Majesty the King, Order in Council P.C. 1430 be hereby revoked.

2. That, notwithstanding the revocation of Order in Council P.C. 1430, and subject to the approval of His Majesty the King, the provisions of subparagraphs (a) and (b) of this paragraph shall continue to be in full force and effect, namely:

- (a) That the Government of the United Kingdom be informed that in case of Canadians who are members of the United Kingdom Armed Forces and not, at the same time, members of Canadian Forces, and, in the case of individual members of Canadian Forces, temporarily attached to United Kingdom Forces, immediate, periodical and operational awards for services, including decorations, medals and commendations, should be considered and dealt with in the same manner as awards to other members of the United Kingdom Forces. The Canadian Government would, however, appreciate advance information in the case of periodical and operational awards; and
- (b) That in the case of members of Canadian Armed Forces, including personnel of other Forces attached thereto, a submission should be made through appropriate channels to His Majesty the King, with a view to making provision for awards of medals and decorations, in accordance with the following principles:
 - (i) All awards of medals and decorations are to be made by, or in the name of, the King.
 - (ii) Commendations are to be made pursuant to arrangements approved by the King.
 - (iii) In instances in which under existing authorities, immediate awards may be made by a Commander, any arrangements with regard thereto, in so far as Canadian personnel is concerned, shall be deemed to have been made with the concurrence of His Majesty's Government in Canada.
 - (iv) In instances in which the decision as to awards is to be made by the Governor in Council, the procedure is to be approved by the King and the awards are to be made in the name of the King.
 - (v) Arrangements for investiture are to be identical in all cases. When the recipient of the award is in England or in the vicinity of England, he may proceed in accordance with arrangements by, and approved by, the King, for investiture. When the recipient is in Canada (assuming the King is not in Canada) investiture may be by the Governor General, under arrangements approved by the King.

3. That His Majesty the King be requested to approve the following arrangements:—

(a) ROYAL CANADIAN NAVY (including attached personnel).

Where Canadian Naval Personnel are serving under a United Kingdom Commander, whether in a Canadian ship or unit which has been placed at the disposal of the Admiralty or is operating under a United Kingdom Commander, or as individuals lent for service with the Royal Navy, recommendations for immediate, operational and periodical awards (including commendations) will be made by the United Kingdom Commander through the Admiralty following the same procedure as in the case of personnel of the Royal Navy.

Similarly where Canadian Naval Personnel are serving under a Commander of one of the other parts of the British Commonwealth, the Commander, in making recommendations, will follow the same procedure as in the case of personnel of his own Navy.

In all other cases, recommendations for immediate, operational and periodical awards will be made by the appropriate Officer of the Royal Canadian Navy through Naval channels of communication to the Minister of National Defence for Naval Services and submitted by him to His Excellency the Governor in Council, with a view to the making of recommendations to His Majesty the King.

(b) CANADIAN ARMY (including attached personnel).

All recommendations for immediate operational and periodical awards (including commendations) are to be communicated by the appropriate officer of the Canadian Army through Army channels of communication to the Minister of National Defence, and submitted by him to His Excellency the Governor General in Council with a view to the making of recommendation to His Majesty the King:

Provided that where formations of the Canadian Army are acting in combination with other British Commonwealth forces, the appropriate officer will, in respect of such recommendations, act in consultation with the Commander of the combined forces, and Provided further, that the Commander of the combined forces may mention in despatches any member of formations of the Canadian Army serving under his command.

(c) ROYAL CANADIAN AIR FORCE (including attached personnel).

All recommendations for immediate, operational and periodical awards (including commendations) are to be communicated by the appropriate officer of the Royal Canadian Air Force through Air Force channels of communication to the Minister of National Defence for Air, and submitted by him to His Excellency the Governor General in Council, with a view to the making of recommendations to His Majesty the King;

Provided that where formations of the Royal Canadian Air Force are acting in combination with other British Commonwealth forces, the appropriate officer will, in respect of such recommendations, act in consultation with the Commander of the combined forces; and

Provided further, that the Commander of the combined forces may mention in despatches any member of formations of the Royal Canadian Air Force serving under his command.

The Committee concur in the foregoing recommendations and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing Maximum Rentals Regulations

Canada Gazette (Extra) 30th December, 1941

P.C. 8965

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 21st day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, for the purpose of checking inflationary tendencies and accompanying increase in the cost of living, the Maximum Prices Regulations were made and established by Order in Council P.C. 8527 of the 1st day of November, 1941, providing for the maximum price or rate at which any goods or services may be sold or supplied in Canada;

And whereas, in conformity therewith, it is deemed to be necessary and advisable for the security and welfare of Canada that provision be made for the maximum rental at which any real property in Canada may be rented or offered for rent;

Therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under and by virtue of the powers conferred on the Governor General in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and otherwise, is pleased to make the following regulations, and they are hereby made and established accordingly.

REGULATIONS

TITLE

1. These regulations and any amendment thereof or addition thereto may be cited as *The Maximum Rentals Regulations*.

INTERPRETATION

2. (1) For the purposes of these regulations,
- (a) "Board" means the Wartime Prices and Trade Board;
 - (b) "landlord" means any person who lets or sublets any real property;
 - (c) "lease" means any and every enforceable contract for the letting of real property whether the contract is made orally, in writing or by deed;
 - (d) "order" means an order of the Board;

- (e) "real property" means any improved or unimproved land, any furnished or unfurnished store, shop, office building, factory, warehouse, suite, office or other place of business, hotel, house, apartment, flat, room, or other place of dwelling, and any structure or part of a structure used for combined business and dwelling purposes, together with all appurtenances thereto belonging and such heating, lighting, water, garage, janitor and other services, and such plant, equipment or facilities, as are supplied by the landlord;
- (f) "regulation" means any of these regulations and any amendment or addition thereto;
- (g) "rent" or "rental" means any payment or consideration for the use of real property;
- (h) "Rentals Administrator" or "Deputy Rentals Administrator" means the person duly appointed as such by the Board with the approval of the Governor in Council;
- (i) "requirement" means any written notification by the Board to any person, requiring performance by such person of any specified act or requiring such person to refrain from performing any specified act.

(2) Every actual or suspected offence against any regulation, order, or requirement shall, for the purposes of the Criminal Code, be deemed to be an offence that has been or is suspected to have been committed against the Criminal Code.

MAXIMUM RENTALS

3. (1) On and after December 1, 1941, the maximum rental at which any real property may be rented or offered for rent shall be as follows:

- (a) for any real property for which there was a lease in effect on October 11, 1941, the rental lawfully payable under that lease;
 - (b) for any real property for which there was no lease in effect on October 11, 1941, but for which there was a lease in effect at some time or times since January 1, 1940, the rental lawfully payable under the latest lease in effect since January 1, 1940;
- (2) For any other real property, the maximum rental shall be that which may from time to time be fixed by or under the provisions of an order of the Board.

(3) Nothing in this Section shall be deemed to supersede or affect in any way any maximum rental heretofore fixed by any order of the Board, or fixed by the Rentals Administrator or by the Deputy Rentals Administrator, or fixed by a Rentals Committee and approved by the Rentals Administrator or the Deputy Rentals Administrator, or be deemed to derogate from any power conferred on the Board by the Wartime Leasehold Regulations, and without restricting the generality of this provision, the Board, in its discretion, may vary any maximum rental, may exempt any person or any real property or any transaction wholly or partly from the provisions of these regulations and may withdraw any such exemption, either generally or in specific cases, and subject to such terms and conditions as the Board may prescribe.

4. All leases are hereby amended insofar as is necessary to give effect to these regulations.

OFFENCES, PROSECUTIONS AND PENALTIES

5. No person, on behalf of himself or of another person, shall rent or offer for rent any real property at a rental that is higher than the maximum rental fixed by these regulations or fixed under the provisions of any order of the Board.

6. No person shall pay a rental which he knows to be higher than the maximum rental fixed by these regulations or fixed under the provisions of any order of the Board.

7. No person shall alter any terms or conditions of any lease referred to in paragraphs (a) or (b) of subsection (1) of Section 3 of these regulations in such way as to increase the rental as provided in these regulations.

8. Any person who contravenes or fails to observe any regulation, order or requirement or who enters into any transaction or arrangement designed for the purpose or having the effect of evading any provision of these regulations, or makes any false statement in any return, record or information made or given pursuant to any order or requirement, shall be guilty of an offence and liable, upon indictment or upon summary conviction under Part XV of the Criminal Code, to a penalty not exceeding five thousand dollars, or to imprisonment for any term not exceeding two years, or to both fine and imprisonment; and any director or officer of any company or corporation who assents to or acquiesces in any offence by such company or corporation against any regulation, order or requirement shall be guilty of such offence personally and cumulatively with the said company or corporation.

9. (1) No prosecution for contravention or non-observance of any regulation, order or requirement shall be commenced without the written leave of the Board or of the Attorney-General of the province in which the offence is alleged to have been committed.

(2) A prosecution for any contravention or non-observance of any of these regulations or for any contravention or non-observance of any order or requirement of the Board may be commenced within twelve months from the date on which the offence is alleged to have been committed.

GENERAL PROVISIONS

10. Every landlord or his agent shall prepare and keep available for inspection a record describing clearly and fully any of his real property the maximum rental for which is fixed by these regulations or fixed under the provisions of any order of the Board, and stating the amount of the rental so fixed and the name of the tenant who was or is obligated to pay such rental and the name of each subsequent tenant.

11. No person shall have any right to collect a rental in excess of the maximum rental fixed by these regulations or fixed under the provisions of any order of the Board, and any person who pays an amount in excess of such maximum rental may recover the excess notwithstanding that such person may have been guilty of an offence in paying such excess.

These regulations shall be read and construed as one with the Wartime Leasehold Regulations.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations respecting flax

P.C. 8987

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 18th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council dated the 4th day of November, 1941, P.C. 8590, regulations respecting the inspection and grading of fibre flax were made and established;

And whereas the Minister of Agriculture reports that it is desirable, in order to assure fulfilment of the requirements of the United Kingdom and in the interests of the industry, to place the export and domestic marketing of the products of flax straw under the control of an Administrator;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to authorize the appointment of a Flax Fibre Administrator and to make the regulations attached hereto, and they are hereby made and established accordingly.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

REGULATIONS RESPECTING FLAX

1. These regulations and any amendment or addition thereto may be cited as the Flax Fibre Marketing Regulations.
2. For the purpose of these regulations, unless the context otherwise requires,
 - (a) "Flax" shall include line fibre, tow, tossed flax, pluckings, and any other product of flax straw that may be designated.
 - (b) "Flax Fibre Administrator" means the person appointed as such by the Governor in Council.
 - (c) "Minister" means the Minister of Agriculture.
3. The Flax Fibre Administrator, under the direction of the Agricultural Supplies Board, shall have power
 - (a) to enter, or authorize any person to enter, any place or any land for the purpose of inspecting any flax;
 - (b) to take possession of any flax and deal with it or dispose of it in any manner;
 - (c) to buy, sell and otherwise deal in, store, transport, allocate and distribute any flax;
 - (d) to process any flax or require any person, firm or corporation in the business of processing flax, to process any specified flax in any specified manner and in such priority to any other business of such person, firm or corporation as may be specified;

- (e) to fix or limit the quantities of any flax which may be purchased, sold or distributed by or to any person, firm or corporation within prescribed periods of time and to prohibit purchase, sale or distribution in excess of quantities so fixed or limited;
- (f) to require any person, firm or corporation owning or having possession, control or power to dispose of any flax to deal with and dispose of any such flax in specified manner;
- (g) to require any person, firm or corporation owning or having possession, control or power to dispose of or dealing in any flax, to produce to any person authorized in writing for the purpose by the Flax Fibre Administrator, any books or documents and to permit the person so authorized, to make copies of or extracts from any such books and documents, and, when such Administrator deems it necessary, to remove any such books and documents;
- (h) to require any person, firm or corporation, processing, storing, importing or dealing in flax to furnish, in such form, within such time and to such person as the Flax Fibre Administrator may prescribe, written returns under authority or affirmation showing such information as such Administrator may deem necessary;
- (i) to investigate, of his own motion or on any complaint, costs, prices, profits and stores of flax of any person engaged in the manufacture, importation, exportation, production, storage, transportation, supply or sale of any flax or any alleged or apparent offence against any regulation, and for the purpose of any such investigation, he shall have all the powers of a commissioner appointed under the provisions of the Inquiries Act;
- (j) to prescribe the terms and conditions under which any flax may be sold or offered for sale;
- (k) to require any person, firm or corporation, to perform such act in respect of any flax as is deemed by the Flax Fibre Administrator to be desirable, or to require any person, firm or corporation, to refrain from performing such act as is deemed by such Administrator to be undesirable, in order more effectually to enforce his orders or to exercise his powers respecting such flax;
- (l) to require manufacturers, processors, importers, exporters, jobbers, wholesalers or retailers of or other dealers in any flax to obtain licences from him, through such person as he may designate and to issue or cause to be issued licences to such persons, and to fix the fees payable on account of such licences; provided, however, that the issue to any person of a licence shall not be deemed to affect the liability of such person to obtain a licence as required by any other statute or law of Canada or any Province thereof;
- (m) to suspend or cancel a licence in any case, where, in his opinion, the licensee has failed to comply with any regulations, order or requirement; and with the concurrence of the Wartime Prices and Trade Board,
- (n) to fix specific or maximum or minimum prices or specific or maximum or minimum markups at which any flax may be sold or offered for sale and any such order made pursuant hereto shall apply throughout Canada, unless otherwise provided therein;

and the Agricultural Supplies Board regulations shall be deemed to have been and are hereby amended as is necessary to give effect to these regulations.

4. If the Flax Fibre Administrator takes possession of any flax, the consideration to be paid in respect thereof, in default of agreement, shall be such as is prescribed by such Administrator under direction of the Agricultural Supplies Board and with the approval of the Minister.

5. Where the failure to fulfill any contract or obligation, whether made before or after the date of this Order in Council, is due to the compliance on the part of any person, firm or corporation with any order, instruction, regulation, restriction, limitation, licence, permit, prohibition, requirement, direction or quota made, issued, established or given by the Flax Fibre Administrator or the Wartime Prices and Trade Board, by virtue of this Order in Council, proof of that fact shall be a good and complete defence to any action or proceeding in respect of such failure.

OFFENCES

6. (a) No person shall sell or offer for sale any flax at a price that is higher than is reasonable and just or withhold any flax from sale for a price that is higher than is reasonable and just and, in any case where any person accused under this provision has not kept such books of account as are necessary to exhibit or explain his transactions, the onus shall be upon such accused person to establish that the price is reasonable and just; provided that if a specific or maximum price has been fixed under these regulations for the sale of such flax, any price in excess of the price so fixed shall be conclusively deemed to be higher than is reasonable and just; and provided further that if a specific or maximum markup has been fixed under these regulations for the sale of flax, any price which includes a markup in excess of the markup so fixed shall be conclusively deemed to be higher than is reasonable and just;
- (b) No person shall sell or offer for sale any flax at a price that is lower than the minimum price fixed under these regulations or at a price which includes a markup that is lower than the minimum markup fixed under these regulations;
- (c) No person, without the consent of the Flax Fibre Administrator, shall acquire, accumulate or withhold from sale any flax beyond an amount thereof reasonably required for the ordinary purposes of his business;
- (d) No person, without the consent of the Flax Fibre Administrator shall unduly prevent, limit or lessen the manufacture, production, transportation, sale, supply or distribution of any flax;
- (e) No person shall in any manner impede or prevent or attempt to impede or prevent any investigation or examination instituted by the Flax Fibre Administrator;
- (f) No manufacturer, processor, importer, exporter, wholesaler, jobber, retailer, supplier or other dealer shall sell, supply, offer for sale, ship, distribute or deal in any flax in respect of which a licence is required unless he has a licence from the Flax Fibre Administrator which is in full force and effect.

PENALTIES

7. Any person who contravenes or fails to observe any regulation, order or requirement or makes any false statement in any return made pursuant to any regulation, order or requirement shall be guilty of an offence and liable, upon indictment or upon summary conviction under Part XV of the Criminal Code, to a penalty not exceeding Five Thousand Dollars or to imprisonment for any term not exceeding two years, or to both fine and imprisonment; and any director or officer of any company or corporation who assents to or acquiesces in any offence by such company or corporation against any regulation, order or requirement shall be guilty of such offence personally and cumulatively with the said company or corporation.

8. (a) No prosecution for a contravention or non-observance of any regulation, order or requirement shall be commenced without the written leave of the Agricultural Supplies Board or of the Wartime Prices and Trade Board or of the Attorney-General of the province in which the offence is alleged to have been committed.
 - (b) A prosecution for any contravention or non-observance of any of these regulations or for any contravention or non-observance of any regulation, order or requirement made pursuant to authority conferred by these regulations or by any other Order in Council or Act of Parliament may be commenced within twelve months from the date on which the offence is alleged to have been committed.
9. Every order made pursuant to these Regulations shall take effect from a date to be stated therein and shall be published in the *Canada Gazette*.
10. The Flax Fibre Administrator shall report to the Minister or the Wartime Prices and Trade Board, as and when required to do so.

Order in Council approving special freight charges on Western grains shipped to British Columbia

Canada Gazette (Extra), 22nd November, 1941

P.C. 8989

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 18th day of November, 1941.

PRESENT:

HIS EXCELLENCY,

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Agriculture reports that representations have been made by the Government of the Province of British Columbia that feed supplies are insufficient to meet live stock and poultry feed requirements consequent upon the war and have urged that action be taken whereby the Dominion Government would assist British Columbia farmers in obtaining necessary feed grains and millfeeds from the Prairie Provinces at prices which will permit them to maintain live stock and poultry production;

That by Order in Council dated the 28th day of October, 1941, P.C. 8396, under the War Measures Act, measures were approved extending freight assistance to Western grains and millfeeds shipped into Eastern Canada for use exclusively as feed for live stock and poultry; and that it is desirable that similar assistance be extended to consumers of live stock and poultry feeds in British Columbia.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to authorize and doth hereby authorize the Minister of Agriculture to pay the rail freight charges from Calgary, Edmonton or other points in the Province of Alberta having the same freight rate, as herein prescribed, viz:

- (1) On Western Wheat, Oats, Barley, Rye, No. 1 Feed Screenings or No. 2 Feed Screenings, whole or ground, Wheat Bran, Wheat Shorts or Wheat Middlings, shipped from points of origin in the Provinces of Alberta,

Saskatchewan or Manitoba to destinations in British Columbia and distributed for use exclusively as feed in British Columbia for Canadian live stock or poultry before July 1st, 1942; provided that whenever applicable the rates of freight shown in Canadian Freight Association Tariff No. 145 must be used;

- (2) On Corn, whole or ground, shipped from points of origin in the Provinces of Alberta, Saskatchewan or Manitoba to destinations in British Columbia and distributed for use exclusively as feed in British Columbia for Canadian live stock or poultry before July 1st, 1942, the portion of the through freight charges from Calgary or Edmonton to such destinations;
- (3) On stocks of grains in storage elevators, warehouses and feed mills within British Columbia in the amount of not less than 30 tons of any one kind of Western Wheat, Oats, Barley, Rye, Corn, No. 1 Feed Screenings or No. 2 Feed Screenings, whole or ground, as of the date of this Order in Council and which has been shipped from points of origin in the Provinces of Alberta, Saskatchewan, or Manitoba subsequent to May 1st, 1941, and which may be distributed for use exclusively as feed for live stock or poultry subsequent to the date of this Order in Council and prior to July 1st, 1942;
- (4) On stocks of millfeeds in storage within British Columbia which were shipped from the manufacturing mill in the Provinces of Alberta, Saskatchewan or Manitoba on and after October 1st, 1941, in the amount of not less than 25 tons as of the date of this Order in Council and which may be distributed for use exclusively as feed for live stock or poultry subsequent to the date of this Order in Council and prior to July 1st, 1942;

provided that wherever the actual freight charges from the point or points of origin of such grain or feeds to destinations in British Columbia shall be less than the basic freight charges from Calgary or Edmonton, such freight assistance allowable shall be reduced proportionately and provided further on all grains and feeds shipped and distributed in accordance with the provisions hereof evidence satisfactory to the Flour and Feeds Administrator is produced to show that the sale price to the consumer has been reduced by and takes into account the payment of such freight assistance as is herein prescribed.

A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations re certificates, Masters and Mates
—P.C. 4306, June 17, 1941

Canada Gazette, 6th December, 1941

P.C. 8995

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 18th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council, P.C. 4306, of June 17, 1941, certain regulations were made authorizing the Minister of Transport to grant permission to Canadian

registered ships in certain cases to clear on voyages with masters, mates or engineers not holding appropriate certificates and that regulation 1 of the said regulations provides as follows:—

“1. Subject to the provisions of regulation 5 of these Regulations, the Minister of Transport may grant permission to any Canadian registered ship to clear on a voyage even though the master or mate of any such ship has a certificate of a grade lower than that required by the Canada Shipping Act, 1934, and also may grant permission to an uncertificated mate to act in a position where a certificated mate or second mate is required by that Act, provided that in each case the master or mate concerned is found competent so to act by an Examiner of Masters and Mates.”

And whereas the Minister of Transport reports that it is found that the number of examiners of Masters and Mates available is not sufficient to meet, at short notice, the requirements of ship owners to have men examined under the provisions of the said Regulations at places other than the ports where the Examiners are stationed and, in the circumstances, that the clearance of vessels is frequently delayed.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport, is pleased to amend the said Regulations made by Order in Council, P.C. 4306, of June 17, 1941, and they are hereby amended by deleting therefrom regulation 1 as above set out and substituting therefor the following:—

“1. Subject to the provisions of regulation 5 of these Regulations, the Minister of Transport may grant permission to any Canadian registered ship to clear on a voyage even though the master or mate of any such ship has a certificate of a grade lower than that required by the Canada Shipping Act, 1934, and also may grant permission to an uncertificated mate to act in a position where a certificated mate or second mate is required by that Act, provided that in each case the master or mate concerned is found competent so to act by an Examiner of Masters and Mates, or, in his absence, by such certificated Master or Mariner as may be approved by an order made by the Minister for such purpose, the actual expenses incurred by the person attending to examine the master or mate concerned to be paid by the ship owner.”

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing payments of sales tax re building materials

P.C. 9001

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 18th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Ministers of Munitions and Supply and Finance report,—

1. That prior to April 29, 1941, the items enumerated under the caption “Building Materials” in Schedule III to the Special War Revenue Act were exempted from the sales tax imposed by the said Act.

2. That under the Budget Resolutions introduced by the Minister of Finance on April 29, 1941, it was provided that the said items should thereafter be subject to the said sales tax at the rate of eight per centum (8%).

3. That the Deputy Minister of Munitions and Supply has received a report from the Director of Construction of the Department of Munitions and Supply, representing

- (a) that contracts have been entered into on behalf of His Majesty for the construction and erection of defence projects and other buildings and works provided for under the War Appropriation Act on the basis of tenders mailed or delivered on and prior to April 29, 1941, and which do not allow or provide for payment of sales tax on the items of building materials aforesaid;
- (b) that in the performance of such contracts it will be necessary for the contractors to take delivery, after April 29, 1941, of such items of building materials in respect of which the sales tax has been paid;
- (c) that it would in the opinion of the Director of Construction be just and equitable and in the public interest to authorize payment to contractors whose tenders were mailed or delivered on or before April 29, 1941, of the amounts actually and properly paid by them in respect of sales tax included in the cost of building materials necessary for the performance of their contracts, and delivered to them after that date, if such materials prior thereto were exempt from the sales tax.

4. That the amounts to be paid to contractors as aforesaid cannot be ascertained until after the purchase of the materials in question, and the necessary Financial Encumbrances will be raised by the Departments concerned as the amounts required are ascertained.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Ministers of Munitions and Supply and Finance and pursuant to the powers conferred on the Governor General in Council by the Department of Munitions and Supply Act and by the War Measures Act, is pleased to grant and doth hereby grant authority for the payment to persons having contracts, payment for which has been provided under the War Appropriation Act, and whose tenders were mailed or delivered on or before April 29, 1941, of the amounts actually and properly paid in respect of sales tax included in the cost of building materials necessary for the performance of their contracts and delivered to them after that date, if such materials prior thereto were exempt from sales tax; the payments authorized hereby to be made on proof of the relevant facts to the satisfaction of the Comptroller of the Treasury out of the funds allotted to the Department concerned in each case, and provided under the War Appropriation Act.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing Wartime Leasehold Regulations

Canada Gazette (Extra), 26th November, 1941

P.C. 9029

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 21st day of November, 1941.

PRESENT:

HIS EXCELLENCY,

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 3998 of the 5th day of December, 1939, the Wartime Prices and Trade Board Regulations respecting necessities of life were made and established and, by Order in Council P.C. 4616 of the 11th day of September, 1940, the provisions of such Regulations were extended to rentals and housing accommodation;

And whereas by Order in Council P.C. 5003 of the 24th day of September, 1940 approval was given to the exercise by the Board of its power to fix maximum rentals, and to the appointment of the Rentals Administrator by the Board, and additional powers were conferred on the Board in respect of housing accommodation;

And whereas, pursuant to the aforesaid powers, the Board made various orders respecting the rental of housing accommodation and termination of leases;

And whereas by Order in Council P.C. 6701 of the 26th day of August, 1941, the law was declared in some respects and special provisions respecting offences, penalties and evidence were made;

And whereas by Order in Council P.C. 6834 of the 28th day of August, 1941, the Wartime Prices and Trade Board Regulations were rescinded and new Regulations respecting goods and services were substituted therefor;

And whereas Order in Council P.C. 8528 of the 1st day of November, 1941, rescinded said Order in Council P.C. 6834 and established in substitution therefor The Wartime Prices and Trade Regulations;

And whereas by Order in Council P.C. 8965 of the 21st day of November, 1941, the Maximum Rentals Regulations were established;

And whereas it is deemed to be expedient and in the public interest to revoke the said Orders in Council P.C. 4616 and P.C. 6701 and to make and establish consolidated regulations respecting leaseholds as hereinafter set forth;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under and by virtue of the powers conferred on the Governor in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order as follows:

1. Orders in Council P.C. 4616 of the 11th day of September, 1940, and P.C. 6701 of the 26th day of August 1941, are hereby revoked.

2. The Regulations hereinafter set forth are hereby made and established in substitution for the Orders in Council hereby revoked.

REGULATIONS RESPECTING LEASEHOLD RIGHTS AND OBLIGATIONS
IN TIME OF WAR

TITLE

1. These regulations and any amendment thereof or addition thereto may be cited as *The Wartime Leasehold Regulations*.

INTERPRETATION

2. (1) For the purposes of these regulations, unless the context otherwise requires,

- (a) "Board" means the Wartime Prices and Trade Board;
- (b) "landlord" means any person who lets or sublets any real property;
- (c) "lease" means any and every enforceable contract for the letting of real property, whether the contract is made orally, in writing or by deed;
- (d) "member" means a member of the Board;
- (e) "Minister" means the Minister of Finance;
- (f) "order" means an order of the Board;
- (g) "real property" means any improved or unimproved land, any furnished or unfurnished store, shop, office building, factory, warehouse, suite, office or other place of business, hotel, house, apartment, flat, room or other place of dwelling, and any structure or part of a structure used for combined business and dwelling purposes, together with all appurtenances thereto belonging, and such heating, lighting, water, garage, janitor and other services, and such plant, equipment or facilities, as are supplied by the landlord;
- (h) "regulation" means any of these regulations and any amendment or addition thereto;
- (i) "rent" or "rental" means any payment or consideration for the use of real property;
- (j) "Rentals Administrator" or "Deputy Rentals Administrator" means the person duly appointed as such by the Board with the approval of the Governor in Council;
- (k) "requirement" means any written notification by the Board to any person, requiring performance by such person of any specified act or requiring such person to refrain from performing any specified act.

(2) Every actual or suspected offence against any regulation, order or requirement shall, for the purposes of the Criminal Code, be deemed to be an offence that has been or is suspected to have been committed against the Criminal Code.

3. (1) The Board shall have power, from time to time

- (a) to investigate, of its own motion or on complaint, the rental at any time charged or demanded by any person for any real property, the nature and extent of any real property and any change therein, or any alleged or apparent offence against any regulation, order or requirement; and for the purpose of any such investigation, the Board shall have all the powers of a commissioner appointed under the provisions of the Inquiries Act;
- (b) to enter any premises, to inspect and examine the same and any or all books, records and documents in the possession or control of any landlord or of his agent, and to require any such person to produce such books, records and documents at any place before it or before any person appointed by it to investigate, and to take possession of any or all of such books, records and documents;
- (c) to require any landlord or agent of a landlord to furnish, in such form and within such time as the Board may prescribe, such information respecting real property and rentals as is specified in the requirement;

- (d) to require any person to perform such act in respect of rentals or of real property as is deemed by the Board to be desirable, or to require any person to refrain from performing such act as is deemed by the Board to be undesirable, in order more effectually to enforce its orders or to exercise its powers respecting real property and rentals;
- (e) to make public its findings or report in the case of any investigation or to withhold such publication if it considers the public interest would be better served by such withholding;
- (f) to refer to the Attorney-General of any province information respecting any alleged offence against any regulation, order or requirement;
- (g) to fix the maximum rental at which any real property may be rented or offered for rent by any person and to prohibit a rental in excess of the maximum so fixed; and any order made pursuant to this regulation shall apply throughout Canada unless otherwise provided therein;
- (h) to prescribe the grounds on which any maximum rental fixed by The Maximum Rentals Regulations or under the provisions of any order or under authority of the Board may be varied, to prescribe the manner in which and the extent to which it may be varied, and to prohibit variation except in accordance with such prescription;
- (i) to prescribe the manner of determination of any maximum rental that is not fixed as provided in paragraphs (g) and (h) hereof, and to prohibit the charging or demanding of a rental in excess of the amount so determined;
- (j) to prescribe the terms and conditions under which any real property may be rented or offered for rent and to prohibit transactions except in accordance therewith;
- (k) to prescribe the grounds on which and the manner in which leases may be terminated, and to prohibit termination of leases or eviction or dispossession of tenants except in accordance with such prescription.

(2) The powers vested in the Board by paragraphs (a) and (b) of subsection (1) of this Section may be exercised by any one member of the Board.

(3) The Board may appoint, or authorize the Rentals Administrator to appoint, from time to time in any area of Canada a local Committee, to be known by such title and to be composed of such person or persons as may be designated, for the purpose of investigating and adjudicating upon local complaints and applications respecting rentals and real property and of performing such other duties as may be designated, and may delegate to any Committee so appointed such powers to be exercised in such manner and according to such procedure as the Board may from time to time prescribe.

(4) The Board may appoint one or more persons to conduct investigations and every such person shall be vested with such of its powers aforesaid as the Board may confer on him.

4. All expenses lawfully incurred under these regulations shall be payable out of moneys provided by Parliament.

OFFENCES, PROSECUTIONS AND PENALTIES

5. (1) No person on behalf of himself or of another person shall let or offer to let any real property at a rental that is higher than is reasonable and just; provided that, if a maximum rental therefor has been fixed by the Maximum Rentals Regulations or by any order of the Board or fixed by the Rentals Administrator or the Deputy Rentals Administrator, or fixed by any Rentals Committee and approved by the Rentals Administrator or the Deputy Rentals Administrator, any rental in excess of the maximum rental so fixed shall be conclusively deemed to be higher than is reasonable and just;

and provided further that any person who, on behalf of himself or of another person, has heretofore charged or demanded a rental for any real property in excess of the maximum rental fixed by any order of the Board or by the Rentals Administrator or Deputy Rentals Administrator, or fixed by any Rentals Committee and approved by the Rentals Administrator or the Deputy Rentals Administrator, shall be deemed to have contravened this subsection and to be guilty of an offence and the penalties provided in Section 6 of these regulations shall apply to any such offence.

(2) No person on behalf of himself or of another person shall contravene or fail to observe any order or requirement respecting maximum rentals, termination of leases or other leasehold rights and obligations; provided that any person who, on behalf of himself or of another person, has heretofore contravened or failed to observe any such order or requirement shall be deemed to have contravened this subsection and to be guilty of an offence and the penalties provided in Section 6 of these regulations shall apply to any such offence.

(3) No person shall in any manner impede or prevent or attempt to impede or prevent any investigation or examination pursuant to these regulations.

(4) No person shall, with intent to evade the provisions of these regulations, destroy, mutilate, deface, alter, secrete or remove any books, records, or property of any kind.

(5) No person shall deceive or mislead the Board or any police officer or any employee or agent of the Board or any other person concerned in the administration of these regulations, with reference to any matter affected by these regulations.

(6) No person shall pay or offer to pay a rental for any real property which he knows or has reason to believe is higher than the maximum rental fixed by The Maximum Rentals Regulations or under the provisions of any order of the Board or by the Rentals Administrator or the Deputy Rentals Administrator.

(7) No person shall aid or abet the commission of any offence under these regulations or do any act preparatory to the commission of any offence under these regulations.

6. Any person who contravenes or fails to observe any regulation, order or requirement, or who enters into any transaction or arrangement designed for the purpose or having the effect of evading any provision of these regulations, or makes any false statement in any return, record or information made or given pursuant to any order or requirement shall be guilty of an offence and liable, upon indictment or upon summary conviction under Part XV of the Criminal Code, to a penalty not exceeding five thousand dollars, or to imprisonment for any term not exceeding two years, or to both fine and imprisonment; and any director or officer of any company or corporation who assents or acquiesces in any offence by such company or corporation against any regulation, order or requirement shall be guilty of such offence personally and cumulatively with the said company or corporation.

7. (1) No prosecution for a contravention or non-observance of any regulation, order or requirement shall be commenced without the written leave of the Board or of the Attorney-General of the province in which the offence is alleged to have been committed.

(2) A prosecution for any contravention or non-observance of any of these regulations or for any contravention or non-observance of any order or requirement of the Board made pursuant to authority conferred by these regulations or by any other Order in Council may be commenced within twelve months from the date on which the offence is alleged to have been committed.

8. (1) In any proceedings in any Court, a document purporting to be the decision of a Rentals Committee fixing the maximum rental for any real property specified therein, if purporting to be signed by such Committee or by the Chairman thereof and to be signed by the Rentals Administrator or the Deputy Rentals Administrator by way of approval, shall, in the absence of evidence to the contrary, be conclusively deemed to be the final and conclusive decision of such Committee.

(2) In any proceedings in any Court, a document purporting to be the decision of the Rentals Administrator or of the Deputy Rentals Administrator fixing the maximum rental for any real property specified therein, if purporting to be signed by such Administrator or Deputy Administrator, shall, in the absence of evidence to the contrary, be conclusively deemed to be the final and conclusive decision of such Administrator or Deputy Administrator.

9. (1) Where any person is charged with an offence under these regulations, it shall not be necessary for the prosecuting authority to establish that the person so charged had not been exempted from the relative provisions of these regulations, or had not received the permission of the Board for any act or omission, and if the person so charged pleads or alleges that he had been so exempted or had received such permission, the burden of proof thereof shall be on the person so charged.

(2) For the purposes of the prosecution of a person for an offence under these regulations, the offence shall be deemed to have been committed either at the place where it was actually committed or at any place in Canada in which the offender resides or carries on business or is found or apprehended or is in custody.

(3) In any prosecution for any contravention of subsection (1) of Section 5 of these regulations, evidence by an accused person that he has made an application for permission to increase any maximum rental shall not constitute a defence.

GENERAL PROVISIONS

10. (1) Any decision or action of the Board if expressed in the form of an order published in the *Canada Gazette*, which order shall take effect on a date to be specified therein not earlier than the date of publication in the *Canada Gazette*, shall have the same force and effect as if the same were expressly set forth herein; provided, however, that the Board shall not be precluded from exercising otherwise than by the making of orders any of the powers of the Board.

(2) General or specific instructions issued by the Board to any person acting as agent of or under the authority or direction of the Board, or to any person engaged in any transaction or business affected by these regulations shall, with respect to such person and any other person having notice thereof, have the same force and effect as if contained in an order made and published as provided in the next preceding subsection.

11. Every landlord or his agent shall prepare and keep available for inspection a record describing clearly and fully any of his real property the maximum rental for which is fixed by these regulations or fixed under the provisions of any order of the Board, and stating the amount of the rental so fixed and the name of the tenant who was or is obligated to pay such rental and the name of each subsequent tenant.

12. No person shall have any right to collect a rental in excess of the maximum rental fixed by these regulations or by any order of the Board or by the Rentals Administrator or the Deputy Rentals Administrator or fixed by

any Rentals Committee and approved by the Rentals Administrator or the Deputy Rentals Administrator; and any person who pays an amount in excess of such maximum rental may recover the excess notwithstanding that such person may have been guilty of an offence in paying such excess.

13. The provisions of Section 3, and of subsection (3) of Section 5, and of Section 14 of the Wartime Prices and Trade Regulations shall be construed as if such provisions were included in these regulations.

14. The Board shall report to the Minister as and when required to do so by the Minister.

15. These regulations shall be read and construed as if they included the Maximum Rentals Regulations.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Wartime Prices and Trade Regulations—
P.C. 8528, Nov. 1, 1941—words “associate Chairman” deleted**

P.C. 9030

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 19th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under and by virtue of the powers conferred on the Governor General in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and otherwise, is pleased to amend the Wartime Prices and Trade Regulations, made and established by Order in Council P.C. 8528 of the 1st day of November, 1941, as amended, and they are hereby further amended by deleting from paragraph (a) of subsection (1) of Section 3 thereof the words “the Associate Chairman” and by deleting the words “or Associate Chairman” wherever such words appear in such regulations.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council adding various commodities to Schedule 1, P.C. 7674,
Oct. 4, 1941—Export Permit Control**

Canada Gazette (Extra), 24th November, 1941

P.C. 9056

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 21st day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Trade and Commerce, reports that it is considered desirable that steps should be taken to provide for the control of the exportation from Canada of certain articles, deemed capable of being converted into or made useful in the production of arms, ammunition, or military, naval, and air stores, in addition to those articles enumerated and described in Schedule One of Order in Council P.C. 7674 of October 4, 1941, in order to carry out more effectively the regulations respecting trading with the Enemy, 1939, and to conserve Supplies of commodities required for Canadian and United Kingdom requirements;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937), and by the War Measures Act (Chapter 206 R.S.C. 1927), is pleased to order that, effective on and after the 27th day of November, 1941, the following commodities be and they are hereby added to Schedule One of Order in Council P.C. 7674 of October 4th, 1941:

Group 2—

Greyfish or dogfish of the species
Squalides, fresh, frozen or salted.

Group 4—

Vanallin
Birch and maple flooring
Paper other than waste, paper boards, fibre boards, paper and board manufactures.

Pulp boards, all kinds.

Group 8—

Calcium Carbide.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council approving method of appointing Canadian Dental Corps

P.C. 9089

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 21st day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of National Defence reports,—

That the Dental Services required for the Canadian Army, are by reason of its organization, necessitated through existing War conditions, such as have the effect of placing an unprecedented demand upon available Dental practitioners in Canada;

That proportionate to the number of Dental practitioners carrying on their practice in Canada a very large number have already been appointed to the Canadian Dental Corps;

That taking into consideration the necessity of providing adequate Dental facilities for the civilian population, and due regard having been given to those members of the Dental profession, who, by reason of age or disability, cannot serve in the Canadian Dental Corps, there is not available a sufficient number of Dental practitioners who, pursuant to the provisions of paragraphs 145 and 160 of the King's Regulations and Orders for the Canadian Militia, 1939, would be qualified for appointment to the Canadian Dental Corps; and

That to meet the situation resulting from the exigencies of the present war it is expedient in the public interest that the aforesaid provisions be waived for the period of the War and demobilization thereafter.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other law or Regulation, is pleased to order and doth hereby order as follows:

During the period of the present war with the German Reich, and of demobilization thereafter, the provisions of paragraphs 145 and 160 of the King's Regulations and Orders for the Canadian Militia, 1939, shall not apply with respect to appointments of Dental Officers to Active formations, units and detachments of the Canadian Dental Corps.

Persons who are graduates of Dental Colleges in Canada, or in the United States of America, whose academic standards are such as are acceptable to the Director of Dental Services, shall be eligible for appointment as Dental Officers in active formations, units and detachments of the Canadian Dental Corps, provided their professional and other qualifications are such as are, in the opinion of the Director of Dental Services, equivalent to those required by said paragraphs

145 and 160 of the King's Regulations and Orders for the Canadian Militia, 1939.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council approving immediate payment *re* wheat deliveries

P.C. 9128

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 21st day of November, 1941.

PRESENT:

HIS EXCELLENCY,

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Trade and Commerce reports that, in order to facilitate immediate payment or advance to producers in respect of their wheat delivered or intended for sale to the Canadian Wheat Board, it is desirable that further power should be conferred upon the Board as hereinafter set out and that this has been recommended by the said Board; and

That, in his opinion, such provision is a measure required for the security, defence, peace, order and welfare of Canada.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce and under and by virtue of The War Measures Act, Chapter 206, R.S.C. 1927, is pleased to make the following order and it is hereby made and established accordingly:

ORDER

1. Notwithstanding any law to the contrary the Board shall have power to authorize any person with whom the Board enters or has entered into a Handling Agreement, to borrow from his or its Bank on the security of wheat delivered to and received by any such person and designated by the producer for the Board, and to give security on such wheat, such security in respect of such wheat to be effective only to the extent of the advances actually made on such wheat not exceeding the amount of Board prices therefor, as fixed by or under the Act, plus transportation charges actually paid out, and other charges and allowances authorized by the Board, and any such person shall be and is deemed and declared to be the owner of such wheat for all such purposes and to such extent, and in case of default by any such person the Bank shall sell or dispose of such wheat to the Board only, and the Board shall take delivery on the terms of such Handling Agreement, from the Bank in lieu of any such person, and pay to the Bank the Board's fixed carlot prices for such classes and grades of wheat delivered at Fort William/Port Arthur or Vancouver or such other delivery point as may be authorized by the Board, plus charges and allowances authorized by the Board, and the security shall thereupon cease and the Board shall have clear title to such wheat. Such payment shall be a complete fulfilment of the Board's obligations to any such person in respect thereof as if such payment were made to such person.

2. The word "Act" as used herein means the Canadian Wheat Board Act and other words and expressions in this order shall have the same meaning as if used in the Act.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council recommending that Minister of Munitions and Supply
have authority to sell, exchange or otherwise dispose of
all scrap and articles surplus to requirements**

P.C. 45/9130

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the 22nd
November, 1941.*

The Board under the authority of the War Measures Act and the Department of Munitions and Supply Act, recommend that the Minister of Munitions and Supply be given exclusive power and authority to sell, exchange or otherwise dispose of all scrap and articles surplus to current requirements and any interest therein, derived from contracts entered into by or being carried out under the direction or control of the Minister of Munitions and Supply, and that the Salvage Division of the Office of the Comptroller of the Treasury be relieved from all responsibility in connection therewith.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council appointing custodians of moneys accrued from canteens

P.C. 74/9130

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council on the 22nd
November, 1941.*

The Board had under consideration the following memorandum from the Honourable the Associate Minister of National Defence:—

"The undersigned has the honour to report that by Order in Council P.C. 7520 dated 21st December, 1940, (as amended by P.C. 224 of January 13, 1941; P.C. 1087 of February 14, 1941; and P.C. 1959 of March 24, 1941) a Committee was constituted for the purpose of enquiring into and making recommendations and reporting to the Minister of National Defence on certain matters regarding the collection, custody, investment and control of moneys accruing from the operation of canteens and other auxiliary services for the benefit of His Majesty's Canadian Forces during the present war.

The aforesaid Committee have submitted a report in writing dated 30th August, 1941, and, among other recommendations relating to the benefit and welfare of the members of the Forces and their dependents, have recommended that custodians of the moneys already received which at present are deposited with the Receiver-General of Canada be appointed in order that such moneys may be made available for investment in securities of or guaranteed by the Government of Canada, and the Committee has suggested that such custodians should consist of the Governor of the Bank of Canada, the Deputy Minister of Finance and the President, Regimental Funds Board.

The Adjutant-General has reported that:

- (1) Canteens have already been established at various centres in Canada and elsewhere for members of the Active Army under Agreements authorized by Order in Council P.C. 60/3404 dated July 24th, 1940, between His Majesty the King represented by the Honourable the Minister of National Defence of the Dominion of Canada, and the following Auxiliary Service Organizations:—

The Young Men's Christian Association,
The Salvation Army,
The Knights of Columbus,
The Canadian Legion War Services, Inc.,

and certain other canteens have also been established at the former Reserve Training Centres under supplementary Agreements signed by the above mentioned Auxiliary Service Organizations on the dates as noted hereunder:—

The Young Men's Christian Association—29th October, 1940,
The Salvation Army—12 October, 1940,
The Knights of Columbus—11 October, 1940,
The Canadian Legion War Services, Inc.—12 October, 1940.

- (2) After payment of 5% of the gross receipts to the local Units served by such projects, the net aggregate profits resulting from the operations of the above mentioned Canteens, as determined in accordance with the provisions of the agreements indicated in paragraph (1), are at the present time being deposited with the Receiver-General of Canada.
- (3) It is anticipated that further moneys will be received from time to time from the activities of the said Auxiliary Service Organizations as well as from other projects established in Canada and elsewhere for the benefit of members of the Forces and that these will be deposited to the credit of the Receiver-General of Canada.
- (4) It is desirable that provision be made for the investment of moneys already received or which may hereafter be received from the projects of the Services mentioned above.

As an interim measure and in order to provide a method whereby, pending final decision upon the report of the Committee, the moneys derived through the operations of the Organizations mentioned herein, or received from any other sources, can be made available for investment, it is considered desirable that the moneys in question be invested in securities of or guaranteed by the Government of Canada, and for this purpose that custodians of such moneys be appointed. The Adjutant-General has accordingly recommended:—

- (a) That the following moneys—
- (i) All moneys already received and now deposited with the Receiver-General of Canada from the said Auxiliary Service Organizations; and
 - (ii) Such further moneys as may from time to time become available by reason of profits earned under such agreements as now exist or may in future exist between His Majesty the King represented by the Honourable the Minister of National Defence and the said four National Organizations or which may accrue from the operation thereof for the benefit of members of His Majesty's Canadian Forces during the present war; and
 - (iii) Any moneys which have been and may hereafter be received from any other source to be used for the benefit and welfare of the members and ex-members of the Forces and their dependents;

be remitted to the undermentioned custodians.

(b) That the following shall be appointed the custodians to whom the moneys aforesaid shall be remitted and by whom the investment thereof shall be effected—

The Governor of the Bank of Canada,
The Deputy Minister of Finance,
The President, Regimental Funds Board.

(c) That such custodians shall be responsible that all moneys remitted to them from any source whatsoever for the benefit of the members and ex-members of His Majesty's Canadian Forces and their dependents during the present war are invested in securities of the Dominion of Canada or in securities guaranteed both as to principal and interest by the Dominion of Canada and that all such securities shall be deposited with the Minister of Finance for safe-keeping.

The undersigned concurs in the recommendations of the Adjutant-General and submits the same for the approval of Your Excellency."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council exempting members of C.W.A.C. from Income and National Defence Taxes

P.C. 77/9130

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 22nd November, 1941.

The Board had under consideration a memorandum from the Honourable the Associate Minister of National Defence reporting:—

"That by an Order in Council dated 13th August, 1941, P.C. 6289, Your Excellency in Council was pleased to make and establish regulations relating to the formation, organization, government, discipline and other related matters of the Canadian Women's Army Corps, which regulations provided that, while said Corps will be organized on a military basis, neither it nor the personnel thereof will form part of the Military Forces of Canada.

That Sections 4 (t) and 91 of the Income War Tax Act, Chapter 97 of the Revised Statutes of Canada 1927, as enacted by Sections 9 and 26 of Chapter 34 of the Statutes of Canada 1940, exempt from income tax and National Defence tax the following,—

'The service pay and allowances of—

- (i) warrant officers, non-commissioned officers and men of the Canadian Naval, Military and Air Forces while in the Canadian Active Service Forces, and
- (ii) commissioned officers of the said Forces while on active service beyond Canada, or on active service in Canada, whose duties are of such a character as are required normally to be performed afloat or in aircraft.'

That the said exemption would not extend to the pay and allowances received by members of the Canadian Women's Army Corps, for, as herein-before recited, they are not members of the Military Forces of Canada, but, having regard to the nature of their service in said Corps, and to the fact that the Corps is organized on a military basis, it is considered that the service pay and allowances received by members of said Corps should, for purposes of income tax and National Defence tax, be treated in all respects as if the same were the service pay and allowances of members of the Canadian Military Forces as set out in the Income War Tax Act as herein-before recited.

To that end, the undersigned has the honour to recommend that Your Excellency in Council under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada 1927, and notwithstanding the provisions of any other Law or Regulation, be pleased to authorize that, for the purposes of the Income War Tax Act, Chapter 97 of the said Revised Statutes as amended, members of the Canadian Women's Army Corps shall, while on full pay therein, be deemed to be members of the Canadian Military Forces in the Canadian Active Service Forces or on active service, as the case may be, with rank therein as commissioned officers or otherwise corresponding to the ranks prescribed for said Canadian Women's Army Corps under the regulations pertaining thereto."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council approving remission of customs duties to non-residents entering Canada for war service

P.C. 109/9130

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 22nd November, 1941.

The Board recommend that, under the provisions of the War Measures Act, authority be granted for the importation of settlers' effects, as defined by Items 705 and 705a of Schedule "A" of the Customs Tariff, by non-residents entering Canada for the purpose of enlisting for service with the armed forces of Canada or her Allies; acting as instructors or trainers (military or civilian) in the Commonwealth Air Training Plan; or for employment as experts, technicians, advisors or instructors (military or civilian) or in some other capacity in aircraft, arms or munitions plants or at naval construction plants or dockyards;

1. Without the completion of the oath that they intend to become permanent residents of Canada; and
2. Without the goods having been owned abroad by the settler for at least six months before his removal to Canada.

And that the Minister may in his discretion allow the disposal of dutiable articles imported free of duty and taxes under the above provisions, prior to the expiration of twelve months from the date of entry, in the case of any such settler desiring to dispose of same for any just cause.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing various amendments to Pension Regulations

P.C. 115/9130

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 22nd November, 1941.

The Board had under consideration a memorandum from the Honourable the Minister of Pensions and National Health reporting:—

"That, by virtue of an Act to amend the Pension Act, Chapter 23 of the Statutes of 1941, which brings within the provisions of the said Act, subject to conditions set forth therein, persons who have served in the naval, military or air forces of Canada during the war with the German Reich and certain other persons who have so served with the forces of the United Kingdom of Great Britain and Northern Ireland, it is necessary to amend the regulations established prior to the passing of the said Act of 1941, to enable the Department to furnish treatment with or without hospital and other allowances, where required, to conform with the provisions of the Pension Act as amended;

And that by reason of the establishment of regulations under and by virtue of the War Measures Act, which regulations vest with the Canadian Pension Commission authority to award to certain groups of persons, other than former members of the forces, pension, compensation or injury allowance for disabilities resulting from enemy action or counter action against the enemy, it is also necessary to make provision in the regulations of the Department so that treatment required for such disabilities may be afforded.

The undersigned has the honour to recommend, therefore, that the regulations established by Order in Council P.C. 91, dated 16th January, 1936, as amended, passed under and by virtue of the Department of Pensions and National Health Act, Chapter 39 of the Statutes of 1928, be further amended as follows, with effect on and from the first day of October, 1941:

1. Paragraph (a) of Clause I is cancelled and the following substituted therefor:

'(a) "a disability attributable to service" means a disability which is the result of an injury or disease incurred during military service or which pre-existed enlistment and was aggravated during military service in respect of which pension has been awarded or entitlement conceded under the provisions of the Pension Act, other than pension awarded or entitlement conceded under Sections 11 (3) and 21 of the Pension Act.'

2. Paragraph (i) of Clause I is cancelled and the following substituted therefor:

'(i) "improper conduct or misconduct" includes wilful disobedience of orders, wilful self-inflicted wounding and vicious or criminal conduct during or subsequent to military service,'

3. Paragraph (l) of Clause I is cancelled and the following substituted therefor:

(1) "pension" means an award under the provisions of the Pension Act on account of the disability of a former member of the forces and includes additional pension, temporary pension, additional payment, final payment or any other payment awarded under that Act other than pension awarded under

Sections 11(3) and 21 thereof; it does not include long service or other service pension or pension awarded in respect of a decoration;'

4. Paragraph (m) of Clause I is cancelled and the following substituted therefor;

'(m) "theatre of actual war" means—

- (i) in the case of the military or air forces during the Great War, service in the zone of the allied armies on the continents of Europe, Asia or Africa or in any other place at which the former member of the forces has sustained injury or contracted disease directly by a hostile act of the enemy;
- (ii) in the case of the naval forces during the Great War, service on the high seas or wherever contact has been made with hostile forces of the enemy or in any other place at which the former member of the forces has sustained injury or contracted disease directly by a hostile act of the enemy;
- (iii) in the case of the naval, military or air forces during the war with the German Reich, service on the high seas, in the field or in the air in any place outside Canada; or service in Canada, in such coastal or inland waters, or in such localities, whether in the field or in the air, as may from time to time be designated by the Governor in Council as zones of hostilities during any particular period or periods; or service in Canada in such naval, military or air force units as may, from time to time and with respect to any particular period or periods, be designated by the Governor in Council as units in respect of which hazards have been incurred, during such particular period or periods, by reason of contact with hostile forces of the enemy; or service in any other place in Canada at which the former member of the forces has sustained injury or contracted disease directly by a hostile act of the enemy;'

5. Classes 5(b) (i) and (ii) of Clause 2 are cancelled and the following substituted therefor:

'(b) A former member of the forces—

- (i) who has requested a re-assessment in respect of the disability for which he is in receipt of payment of pension, including pension awarded under Sections 11(3) and 21 of the Pension Act, or
- (ii) who has requested an award of pension in respect of a disability for which he is not in receipt of payment of pension, including pension awarded under Sections 11 (3) and 21 of the Pension Act, or'

6. Class 5(d) of Clause 2 is cancelled and the following substituted therefor:

'(d) A former member of the forces who, while in hospital in another Class as a member of the forces, is discharged from the forces, and who requires active remedial treatment or institutional care for a disability which has not been conceded by the Commissison to be attributable to service. Treatment under this Class shall not be continued more than 122 days subsequent to the date of discharge from the forces.'

7. Paragraph (1) of Class 6 of Clause 2 is cancelled and the following substituted therefor:

- (1) A former member of the forces who has been sentenced to imprisonment and who, during the period of his imprisonment, is considered to require active remedial treatment for a disability attributable to service, including treatment for a disability in respect of which pension was, at the commencement of the period of imprisonment, being paid under Section 11(3) of the Pension Act, provided—'

8. Class 12 of Clause 2 is cancelled and the following substituted therefor:

'Class 12.—A former member of the forces or a former member of the Imperial Forces who is in receipt of payment of pension of not less than 25 per centum and of not more than 79 per centum, in respect of a disability attributable to service in the late war, or in the war with the German Reich, and who suffers an injury while employed in an industry, provided the department is liable under any enabling authority, to reimburse a Workmen's Compensation Board or an employer for the cost of treatment if not furnished by the department.'

9. Class 14(b) of Clause 2 is amended by adding after the last word thereof the following—

'by reason of the provisions of Section 12 of the Pension Act;'

10. Class 15(b) of Clause 2 is cancelled and the following substituted therefor:

- (b) A person who requires treatment or institutional care which cannot otherwise be provided. Treatment shall only be given at the discretion of the Department when deemed to be in the public interest, and provided that the Government of the country or some other responsible body, politic or corporate, has requested such treatment and has assumed liability for the expense thereof;'

11. Class 17 of Clause 2 is amended by adding immediately after the word 'war' the following—

'or in the war with the German Reich'

12. The following class is added to Clause 2 immediately after Class 20;

'Class 21.—

- (a) A former member of the forces and a former member of the Canadian Women's Auxiliary Forces who, in the opinion of departmental medical authority, requires active remedial treatment for a disability in respect of which entitlement to pension has been conceded under the provisions of Section 11(3) of the Pension Act;
- (b) A person employed in a ship of Canadian registry or licence, a Canadian national employed on a certified non-Canadian ship and a Canadian salt-water fisherman who, in the opinion of departmental medical authority, requires active remedial treatment for a disability in respect of which entitlement to pension has been conceded under the provisions of Orders in Council dated 12th June, 1941 (P.C. 10/4209) and 16th July,

1941 (P.C. 87/5204), notwithstanding that such person may be otherwise entitled to such free treatment under the provisions of Part 5 of the Canada Shipping Act;

- (c) An employee or former employee of the Government of Canada who, in the opinion of departmental medical authority, requires active remedial treatment for a disability in respect of which entitlement to pension has been conceded under the provisions of Order in Council dated 18th June, 1941 (P.C. 196/4417);
- (d) A former member of the Canadian Auxiliary Services who, in the opinion of departmental medical authority, requires active remedial treatment for a disability in respect of which entitlement to pension has been conceded under the provisions of Order in Council dated 18th June, 1941 (P.C. 197/4417);
- (e) An Air Raid Precautions Worker who, in the opinion of departmental medical authority, requires active remedial treatment for a disability in respect of which an injury allowance is payable under the provisions of Order in Council dated 10th September, 1941 (P.C. 7147); provided such worker is not entitled to such treatment from some other source. Treatment under this class shall be restricted to the period of six months next following the date of the injury in respect of which such injury allowance is payable,
- (f) A former member of the Canadian Women's Auxiliary Forces who, in the opinion of departmental medical authority, requires active remedial treatment for a disability in respect of which entitlement to pension has been conceded under the provisions of Order in Council dated 1st October, 1941 (P.C. 4/7635), other than pension awarded or entitlement conceded under the provisions of Sections 11(3) and 21 of the Pension Act.'

13. The classifications 'C' and 'D' in Clause 3 are cancelled and the following substituted therefor:

'"C" If mental disability is not attributable to service and pension, including any pension awarded under Section 11 (3) of the Pension Act, has not been awarded for any other disability;

'"D" If pension, including any pension awarded under Section 11 (3) of the Pension Act, has been awarded for other than a mental disability and treatment is provided for a mental disability not attributable to service.'

14. Paragraph 1 of Clause 7 is cancelled and the following substituted therefor:

'A former member of the forces may be granted out-patient treatment for a disability attributable to service, including treatment for a disability in respect of which pension has been awarded under Section 11 (3) of the Pension Act, if, in the opinion of departmental medical authority, he requires such treatment.'

15. Clause 8 is amended by adding thereto the following:

'on account of the provisions of Section 12 of the Pension Act.'

16. Clause 11 is amended by adding after the words 'former member of the forces' in paragraphs (1) and (2) thereof the following:

'or other person'

17. Clause 12 is amended by adding after the words 'or a point equidistant thereto', the following:

'or to such other point as the body might properly have been transported by the Department of National Defence or other department had death occurred while a member of the forces or while under the jurisdiction of such other department'

18. Paragraph (2) of Clause 15A is cancelled and the following substituted therefor:

'The Special Hospital Allowance may be paid until the date of discharge from hospital or until a date not exceeding 122 days subsequent to the date of discharge from the forces, whichever is the earlier date.'

19. Paragraph (1) of Clause 16 is amended by adding after the word 'pension', the following:

'including pension paid under Section 11 (3) of the Pension Act'.

20. Clause 17 is amended by adding after the word 'pension' the following:

'including pension paid under Section 11 (3) of the Pension Act.'

21. The following is added to Clause 19 immediately after Class 20 thereof:

'Class 21—

(a) Comforts and clothing. (Clause 16)

(b) Comforts and clothing. (Clause 16)

(c) An amount equal to 100 per cent pension payable under Order in Council dated 18th June, 1941 (P.C. 196/4417) less \$30 per month.

(d) An amount equal to 100 per cent pension less \$30 per month.

(e) No allowance or benefits.

(f) An allowance equal to 100 per cent pension payable under Order in Council dated 1st October, 1941 (P.C. 4/7635) less \$30 per month.

22. Paragraphs (1) and (3) of Clause 20 are amended by adding after the word 'pension' the following:

'including pension paid under Section 11 (3) of the Pension Act'."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing Cost of Living Bonus, Revenue Postmasters

P.C. 120/9130

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
22nd November, 1941.*

The Board recommend that authority be granted, under the provisions of the War Measures Act, for payment of a cost of living bonus to Postmasters of Revenue Post Offices who are paid on a commission basis, under the following regulations:

1. The Cost of Living Bonus shall be 5% of the compensation of the Revenue Postmaster.
2. Compensation for this purpose shall be that portion of the remuneration derived from the sale of postage, and shall not include commissions paid on money orders, postal notes, savings bank, Government annuities or similar business, nor on commissions allowed on box rents, nor allowances granted for rent, night and forward duty, or similar activities.
3. Revenue Postmasters shall not include Postmasters or staffs of Semi-Staff Revenue Post Offices known as Class 2B and Class 2C nor Sub-Postmasters.
4. Payment of bonus shall be effective from October 1st, 1941.
5. Payment of bonus shall be made from Post Office Revenue.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Orders in Council approving training centres for Merchant Seamen

P.C. 148/9130

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
22nd November, 1941.*

The Board had under consideration a memorandum from the Honourable the Acting Minister of Transport reporting:—

“That, in view of the rapidly increasing provision of new and acquired ocean tonnage and the anticipated difficulty in procuring and recruiting sufficient seamen in the United Kingdom, it is the opinion of those charged with responsibility in such matters that it is expedient to establish facilities for the training of merchant seamen in Canada in order to provide a crew reserve qualified to participate in the manning of ships now under construction in Canada and the United States for the replacement of tonnage lost by enemy action, and for the maintenance at a safe level of transportation facilities essential to the successful conduct of the war;

That it is intended that the proposed training facilities may be taken advantage of by the United Kingdom Government to enable men already at sea on vessels of United Kingdom registry to qualify for higher rank, both in the navigating and engineering departments;

That the Canadian Shipping Board has concurred in principle with the proposed scheme of training and has recommended that such scheme of training be operated as an extension of the duties of the special branch of the Department of Transport headed by the Director of Merchant Seamen;

That these recommendations follow the conclusions of the Inter-departmental Sub-Committee on matters affecting merchant seamen and are a necessary extension of the provisions of Order in Council, P.C. 14/3550, of May 19, 1941;

That for the above purposes the following programme for the training of merchant seamen in Canada has been prepared by the Director of Merchant Seamen:

- (a) To enable training to be available for men without sea experience so that they may qualify as Ordinary Seamen (deckhands) and for this purpose the establishment of Training Centres is recommended. As an initial measure the first Training Centre is designed to be established on the Atlantic Coast of Nova Scotia;
- (b) To establish Marine Engineering Schools where men may qualify for employment as firemen, stokers and trimmers. This establishment to be located in Kingston, Ontario, and advantage to be taken of the services of an instructor in that city, who will be made available for this purpose by the Minister of National Defence for Naval Services;
- (c) To extend, to the degree necessary, the existing Navigation Schools at present operated by the Dominion Government. These facilities will be available for men with sea experience who will be instructed in these schools and examined with a view to the issuance of Certificates of Competence in navigation beginning with Second Mate's Certificate up to Master's Certificate, Foreign-trade;
- (d) To extend the facilities of the Marine Engineering School proposed under sub-paragraph (b) as above to enable seamen experienced in engine rooms to acquire certificates from Fourth Engineer up to Chief Engineer, both in marine engines and in diesel engines;
- (e) Arrangements to be made whereby men may be trained either in existing cooking schools or a new one to be founded to qualify as cooks for employment on shipboard;

That the proposed programme of training also suggests that a satisfactory rate of pay shall be offered to men attending the above courses on taking initial training for service at sea, as well as to compensate those at present at sea for the loss of their earnings whilst taking examinations, and in the case of inexperienced men to attract suitable candidates for instruction, also to make provision for the payment of transportation from their homes to training centres or schools for candidates who may be selected for training."

The Board concur in the above report, and, having approved the expenditure by the Department of Transport of a sum not exceeding \$500,000 to be allotted from the War Appropriation, 1941-42, for the purchase, construction, and equipment, in such places as may be deemed advisable by the Minister of Transport, of Training Centres, Engineering Schools, additions to existing Nautical Schools,

and for the maintenance and operation thereof as outlined in the above memorandum, and for the pay and transportation costs of the men in training, recommend the same for favourable consideration.

The Board further recommend that authority be given for control and supervision by the Director of Merchant Seamen, in conformity with rules and regulations made by the Minister of Transport, over the operations above provided for, including such officers and staff as may be necessary, provided that appointments shall be made in accordance with the terms of Order in Council P.C. 1/1569 of April 19th, 1940.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council establishing Canadian Government Seamen's
Manning Pool**

P.C. 149/9130

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
22nd November, 1941.*

The Board had under consideration a memorandum from the Honourable the Acting Minister of Transport reporting:

"That in connection with the establishment of Seamen's Manning Pools, as provided for under P.C. 14/3550 of May 19, 1941, a situation has now arisen whereby the system of Manning Pools will have to be considerably expanded, inasmuch as it has become necessary to establish additional Manning Pools in Canada for the housing, welfare and disciplining of substantial numbers of merchant seamen recruited in the United Kingdom and held in such Manning Pools in Canada whilst awaiting assignment to tonnage, both new or acquired by the United Kingdom Government in Canada and the United States of America;

That according to advice received from the United Kingdom Government, officers and seamen to the extent of 2,000 per month will be sent out to Canada, commencing in the fall of 1941 and continuing month by month through 1942;

That at present the Ministry of War Transport of the United Kingdom have established a Manning Pool at the Place Viger Hotel in Montreal, capable of housing 650 seamen, and additional housing facilities will be required as outlined below;

That discussions have taken place between the Representatives of the Ministry of War Transport of the United Kingdom, the Deputy Minister of Transport and the Director of Merchant Seamen with respect to a uniform control of all Manning Pools in Canada and the provision of additional accommodation for the number of officers and seamen involved;

That arising from these discussions the United Kingdom Government, through the British High Commissioner of the United Kingdom in Canada, have stated that His Majesty's Government in the United Kingdom would appreciate it if the Canadian Government could assume general responsibility for the manning scheme, and for the institutions required in connection with it;

That at a meeting held in Ottawa on October 17, 1941, attended by representatives of the British Merchant Shipping Mission, Washington; the representative of the Ministry of War Transport of the United Kingdom in Montreal, as well as other representatives of the Ministry; by the Deputy Minister, Department of Transport; the Director of Shipping, Canadian Shipping Board; the Director of Merchant Seamen, and a representative of the High Commissioner for the United Kingdom in Canada, it was unanimously agreed to recommend that the request of the United Kingdom Government, as outlined in the preceding paragraph, should be acceded to as this would simplify and provide uniformity of operation of all Manning Pools, would make possible proper disciplinary measures under the provisions of P.C. 2385 and amendments, Merchant Seamen Order, and, in general, facilitate co-operation between the two governments so far as the important question of manning tonnage is concerned;

That to accomplish these objects it is proposed—

- (a) that arrangements be made whereby the United Kingdom Manning Pool now operating in the Place Viger Hotel, Montreal, be converted into a Canadian Government Seamen's Manning Pool, but with as little change as possible in the economic administration;
- (b) that the Canadian Government provide quarters at Vancouver for a constant pool of 400 officers, petty officers and men;
- (c) that the Canadian Government provide housing facilities for an additional thousand officers and men in Montreal; and,
- (d) that provision be made for extension of the new Merchant Seamen's Manning Pool at Halifax if necessary;

That it is recommended that the cost of new buildings, where such are necessary, shall be borne by the Canadian Government, but that the United Kingdom Government shall be charged, through the British Ministry of War Transport, with the cost of operation and all the services supplied, so far as United Kingdom officers and seamen are concerned.

The undersigned, therefore, on the advice of the Director of Merchant Seamen, concurred in by the Deputy Minister of Transport, recommends that the above arrangement be approved, and that, under the provisions of the War Measures Act and the War Appropriation Act, 1941, authority be given—

- (a) for the allotment of an amount of Nine Hundred and Thirty Thousand Dollars to the Department of Transport from the appropriation granted by the War Appropriation Act, 1941, for the purposes outlined herein;
- (b) for the expenditure, during the fiscal year 1941-1942, by the Department of Transport of a sum not exceeding \$930,000 for the construction and equipment, or for the rental and equipment, and for the maintenance and upkeep of such establishments as may be deemed advisable, by the Minister of Transport for the purpose of creating sufficient housing accommodation for the United Kingdom seamen in the circumstances above referred to."

The Board concur in the above report and recommendation, and, having approved the expenditure by the Department of Transport of a sum not exceeding \$930,000 to be allotted from the War Appropriations, 1941-42, for the above-mentioned purposes, submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council approving recovery of excess profits re sub-contracts

P.C. 9159

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 26th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Munitions and Supply reports:—

1. That he has entered into and will of necessity enter into contracts with various contractors for the production of munitions of war or supplies or for the construction or carrying out of defence projects on the basis that the Contractor is to receive the cost of performing the work called for by such contract plus a profit or fee.
2. That in many cases it is necessary for the contractor to sub-let part or parts of the said work to sub-contractors who are paid by the contractor for the work performed by them.
3. That there is no procedure whereby the Minister of Munitions and Supply is able to recover from sub-contractors possible excessive profits which would not be allowed to them under direct contracts with the Crown.

And whereas it is deemed essential and in the public interest that the Minister of Munitions and Supply be empowered to recover from any sub-contractor any amount whereby the monies received or to be received by such sub-contractor exceeds the costs of the work (as determined by the Minister) plus a fair and reasonable profit.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply and under and by virtue of the powers conferred on the Governor General in Council by the War Measures Act being Chapter 206 of the Revised Statutes of Canada, 1927, and The Department of Munitions and Supply Act being Chapter 3 of the Statutes of 1939, 2nd Session (Canada), as amended by Chapter 31 of the Statutes of 1940, is pleased to order and doth hereby order as follows:—

- (1) Where the Minister of Munitions and Supply enters or has entered into a contract for the production of munitions of war or supplies, or for the construction or carrying out of any defence project or the repair, maintenance, storage and/or servicing of munitions of war or supplies and such contract is on the basis that the contractor is to receive the cost of performing the work plus a profit or fee and where such contractor sub-lets part of the work, the Minister of Munitions and Supply may either before or after the completion of the work audit the records of any sub-contractor to ascertain if such sub-contractor, in addition to his costs (as determined by the Minister of Munitions and Supply), is receiving or has received for the work done by him a profit in excess of a fair and reasonable profit; and if the Minister of Munitions and Supply ascertain such to be the case the sub-contractor shall upon the demand of the Minister refund the amount of such excess and in the event of such refund not being made forthwith after such demand the Minister may sue for and recover from such sub-contractor such excess

profit and the cost to the Contractor shall be deemed to be reduced accordingly and the accounts between His Majesty and the Contractor shall be adjusted to give effect thereto.

- (2) The term "sub-contractor" as used herein shall include any person engaged to do any part of the work to be performed under any such contract entered into by the Minister as aforesaid.
- (3) The above provisions shall apply to all such contracts and sub-contracts hereafter entered into or let and all such contracts and sub-contracts entered into or let since April 9th, 1940.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing regulations Canadian seamen engaged on ships of foreign registry

Canada Gazette, 13th December, 1941

P.C. 9165

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 26th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under the provisions of Order in Council (P.C. 3358) of November 10th, 1939, as amended by Order in Council (P.C. 87/5204) of July 16th, 1941, authority is given for the payment of compensation to such masters and members of the crews of ships of Canadian registry or licence, and such Canadian merchant seamen engaged on certain ships of foreign registry and such Canadian salt water fishermen who, as a result of enemy action or counter-action taken against the same, suffer the loss of their personal effects on board their respective vessels;

And whereas under the provisions of Order in Council (P.C. 3359) of November 10th, 1939, as amended by Order in Council (P.C. 87/5204) of July 16th, 1941, authority is given for the payment of pensions to such persons employed on ships of Canadian registry or licence and such Canadian merchant seamen employed on certain ships of foreign registry and such Canadian salt water fishermen as, in the pursuit of their calling, suffer disability or death as a result of enemy warlike action or counter-action taken against the same;

And whereas the Acting Minister of Transport reports that delay and difficulty have arisen in learning the terms of engagement of Canadian merchant seamen who have disappeared at sea from ships of foreign registry and of whom no record is kept in the Central Index Register of Seamen in the Department; and

That in order to facilitate the submission of claims by relatives and dependents who are entitled to the compensation or benefits payable under authority of the Orders in Council, above referred to, it is deemed advisable that a record should be kept in the Department of Transport of the engagement

in Canada of Canadian merchant seamen on ships of foreign registry and, for such purpose, that a copy of the engagement with the crew or a certified extract thereof, together with a list of Canadian seamen engaged in any capacity on board such ships, be deposited with a shipping master.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding anything contrary contained in the Canada Shipping Act, 1934, is pleased to make the following regulations relative to the engagement of Canadian merchant seamen on ships of foreign registry, effective as from January 1st, 1942, and they are hereby made and established accordingly:

REGULATIONS

1. In all cases where the engagement in Canada of Canadian seamen on ships of foreign registry takes place otherwise than before a shipping master, a copy of the engagement with the crew or a certified extract thereof, together with a list of Canadian seamen engaged in any capacity on board the ship, shall be deposited with a shipping master, and the shipping master shall, thereupon, give to the master of the ship a certificate to that effect and shall also specify in the certificate the class of ship to which the ship belongs, her nationality and official number, whether she is a steam or sailing ship, her gross and registered tonnage and particulars of her employment.

2. No officer of customs shall clear any ship of foreign registry if the master or person in charge does not hold the Shipping Master's Certificate issued under the provisions of section 170 of the Canada Shipping Act, 1934, until the certificate referred to in regulation (1) hereof is produced to him.

3. The master of every ship coming within the provisions of regulation (1) hereof, shall before finally leaving Canada, sign and send to the nearest shipping master, a full and accurate statement, in a form approved by the Minister of Transport, of every change which takes place in his crew before finally leaving Canada.

4. If the master fails without reasonable cause to comply with regulation (3) hereof he shall, for each offence, be liable to a fine not exceeding \$25.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Approving identity certificates for Canadians on ships engaged on
Foreign voyages**

Canada Gazette, 13th December, 1941

P.C. 9166

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 26th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Transport reports that the authorities in the United Kingdom responsible for security have expressed concern about the problem presented by Canadian seamen arriving in the country without suitable identification papers and have suggested that steps might be taken to insure that no seamen sails from Canada for the United Kingdom without a Seamen's identity certificate;

That a number of foreign countries require seamen to have such a certificate before being permitted to land and that a few of them, including the United States, further require such certificate to bear the fingerprints of the holder; and

That it is deemed advisable, for reasons of security, that Canadian seamen should be furnished with a special certificate satisfactorily establishing their national status and identity, and which they should carry at all times.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Transport and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to make the following regulations relative to Seamen's Identity Certificates, and they are hereby made and established, effective as of and from the first day of January, 1942.

REGULATIONS

1. All officers and seamen, including masters, apprentices and stewardesses, who are Canadian citizens, or other British subjects legally admitted to Canada, and are employed in any ship engaged on Foreign Voyages shall be required to hold an Identity Certificate.

"Canadian citizen" means—

- (i) a person born in Canada who has not become an alien;
- (ii) a British subject who has Canadian domicile; or
- (iii) a person naturalized under the laws of Canada who has not subsequently become an alien or lost Canadian domicile.

"other British subject" lawfully in Canada means—

- (i) a British subject admitted to Canada for permanent residence, but who has not acquired domicile (5 years residence following admission).

The Identity Certificate may be issued to British subjects who do not come within the classifications above mentioned, provided the Shipping

Master, or Collector of Customs acting as Shipping Master, is satisfied that they are not already in possession of a Seaman's Identity Certificate issued in any other part of the British Empire.

2. It is not to be issued to crews of fishing vessels; aliens; or persons holding valid passports with fingerprints.

3. If doubt exists as to the status in Canada of the applicant, particulars of entry as furnished by him (her) can be referred to the nearest Immigration Officer for verification.

4. The Identity Certificate shall be issued by Shipping Masters and Collectors of Customs acting as Shipping Masters upon application in writing and both the application and the certificate shall be in a form approved by the Minister of Transport and the certificate shall be carried on the person at all times and be available for production on demand.

5. There shall be suitable space reserved on the certificate for the fingerprints of the holder; provided that it shall not be compulsory for a seaman to have his fingerprints affixed on the certificate before the certificate is issued to him pursuant to these regulations.

6. No charge is to be made for the first issue of an Identity Certificate and the cost of the photographs to be affixed on both the application and the certificate shall be borne by the Department of Transport.

7. The Shipping Master shall, in the case of a ship leaving on a Foreign voyage, give to the master of the ship a certificate to the effect that every seaman on Board the ship to whom these regulations apply is the holder of a certificate issued under these regulations.

8. No officer of Customs shall clear any ship leaving on a Foreign voyage until the certificate referred to in regulation (7) hereof is produced to him.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council adding furs and fur skins to Schedule 1, P.C. 7674,
Oct. 4, 1941—Export Permit Control

Canada Gazette (Extra), 24th November, 1941

P.C. 9180

AT THE GOVERNMENT HOUSE AT OTTAWA

MONDAY, the 24th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Trade and Commerce reports that the Wartime Prices and Trade Board have advised that it is considered desirable to take steps immediately to add furs and fur skins to Schedule One of Order in Council P.C. 7674 of October 4th, 1941, in order to conserve supplies of these commodities required for Canadian requirements;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce and under and by virtue of the power vested in the Governor General in Council by Section 290 of the Customs Act, Section 10, Chapter 24 of the Statutes of 1937, and by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order that, effective on and after the 24th day of November, 1941, the following commodities be and they are hereby added to Schedule One of Order in Council P.C. 7674 of October 4th, 1941:—

Furs and Fur Skins.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations governing Prairie Farm Income Payments

Canada Gazette (Extra), 23rd January, 1942

P.C. 9199

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 16th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Agriculture, is pleased to amend the "Regulations Governing Prairie Farm Income Payments", established by Order in Council, P.C. 8126, of October 22nd, 1941, and they are hereby amended by deleting therefrom regulation No. 8 and substituting therefor the following new regulation No. 8:—

"8. No person shall be entitled to a payment under these Regulations unless—

- (a) He is owner or tenant of a farm at the time of his application, and
- (b) He lives on the farm and farming is his primary occupation, or, if living elsewhere, has no other occupation than farming, and
- (c) He is responsible for the farm operation and the disposal of the proceeds from the farm crops of 1941, and
- (d) The farm has not less than 25 cultivated acres, or, having less than 25 cultivated acres, is in the development stage, and
- (e) If residing with a parent or brother, he is of the full age of 20 years and operates the farm as a separate unit, and the farm consists of at least a quarter section of land.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Regulations governing Prairie Farm Income Payments

Canada Gazette (Extra), 23rd January, 1942

P.C. 9200

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 10th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Regulation 4 (f) of the "Regulations Governing Prairie Farm Income Payments", made by Order in Council P.C. 8126 of October 22nd, 1941, reads as follows:

"No payment shall be made on the following lands:
(f) Irrigated lands."

And whereas the Minister of Agriculture reports that it is the intention that all farms in the Prairie Provinces devoted primarily to the growing of grains should be eligible for the acreage payments;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture, is pleased to amend the said Regulations, made by Order in Council of October 22nd, 1941, and they are hereby amended by deleting therefrom section (f) of regulation 4 and substituting therefor a new section (f) as follows:

"(f) Irrigated lands, except those sown to wheat, oats, barley, rye and flax, or in summerfallow, in 1941, and then only when the total acreage of such crops and summerfallow is not less than two-thirds of the total cultivated irrigable acreage of the farm."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council defining "summerfallow", Wheat Acreage Reduction

P.C. 9201

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 27th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture, is pleased to amend the regulations governing payments in respect of Wheat Acreage Reduction, made by Order in Council P.C. 3047 of April 30th, 1941, as amended by Order in Council P.C. 3231 of May 10th, 1941, and they are hereby further amended by deleting therefrom the definition of "summerfallow" under Regulation No. 1 and substituting therefor a new definition as follows:

"Summerfallow" means the cultivation or management of fallow land in such a way as to conserve soil moisture or to prevent soil drifting, or both.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing establishment of plants for dehydration of vegetables

P.C. 9228

AT THE GOVERNMENT HOUSE AT OTTAWA

SATURDAY, the 6th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Agriculture reports that in view of the evidence of increasing interest by both the British War Office and the Department of National Defence of Canada in dehydrated vegetable products for war purposes because of high nutritive value, facility of transportation, and long-keeping characteristics, and particularly in view of the fact that the British War Office recently indicated that they were prepared to place an order for 1,000 tons of Canadian dehydrated vegetable products but only 137 tons will be delivered because of the inability of Canadian plants, as presently equipped, to supply the full quantity within the period specified, it is expedient that measures be taken to dehydrate, according to technical practices which produce products having a high vitamin content, certain vegetables for Government account;

That to assure production of a high quality product it is imperative that all phases of processing be under the control of the Government and to this end it is proposed to furnish certain designated plants, one in British Columbia, two in Ontario, and two in the Maritime Provinces, with essential equipment, at an estimated total cost of not more than \$25,000 and to provide inspection services to insure that the product meets prescribed specifications;

That allowing for payment of reasonable prices for raw vegetables together with all processing and packaging charges, it is estimated that the total commitment involved, excluding possible storage charges, would be as follows:

500 tons (dried product) potatoes at \$520 per ton.....	\$ 260,000
75 " " " turnips at 540 " "	40,500
50 " " " carrots at 580 " "	29,000
25 " " " cabbage at 980 " "	24,500
<hr/>	
Total	\$ 354,000
Plant changes	\$ 25,000
<hr/>	
Total	\$ 379,000

That it is anticipated that through the ultimate sale of the dehydrated products full cost of the products would be recovered by the Treasury of Canada and that the cost of special equipment required (\$25,000) would be absorbed by the Dominion Government as a capital outlay necessitated in the production of strictly war commodities.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Agriculture and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to authorize and doth hereby authorize the Agricultural Supplies Board:

- (1) to equip five plants in Canada to dehydrate vegetables in accordance with prescribed specifications;
- (2) to purchase or direct the purchase of such surplus potatoes, turnips, carrots and cabbage from the 1941 crop as may be available, not exceeding the quantities hereinbefore mentioned;
- (3) to direct, supervise and pay for the dehydration, packaging and storage of all vegetables purchased hereunder;
- (4) to store, sell, or otherwise dispose of the said dehydrated vegetables as may be deemed desirable or expedient.

His Excellency in Council, on the same recommendation, is further pleased, hereby, to authorize the expenditure out of moneys allotted from the War Appropriation to the Department of Agriculture for the use of the Agricultural Supplies Board, of a sum not exceeding \$400,000 for the said purposes.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council prohibiting importation of goods from China

Canada Gazette, 6th December, 1941

P.C. 9231

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 27th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under the provisions of Order in Council P.C. 2448 of April 8, 1941, exports from Canada to China are subject to export permit control;

And whereas imports into Canada from China are not subject to import control;

And whereas to enable the Government of Canada to co-operate with the Government of China in ensuring that the exchange proceeds of imports into Canada from China shall accrue to the benefit of the Government of China, it is deemed desirable that the importation into Canada of goods from China be prohibited, except under permit issued by the Minister of National Revenue.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, concurred in by the Minister of National Revenue, and under the powers conferred by the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order as follows:—

The importation into Canada of goods from China is hereby prohibited, except under and in accordance with the terms of a permit granted by the Minister of National Revenue.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council establishing Advisory Committee on Export Control—members named

P.C. 9269

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 27th November, 1941.

The Committee of the Privy Council have had before them a report, dated 25th November, 1941, from the Minister of Trade and Commerce, representing:

That pursuant to Order in Council P.C. 2448 of April 8th, 1941, certain powers and responsibilities were conferred upon the Minister of Trade and Commerce in respect of the issuance of export permits and the establishment of an Export Permit Branch for this purpose;

Further, that under Section 10 of the said Order, it is provided that the Export Permit Branch shall consult the Advisory Committee on Economic Policy as to the principles to be followed in the issuance of export permits;

Further, that the Advisory Committee on Economic Policy consider it expedient to establish an Advisory Committee on Export Control for the purpose of giving effect to the provisions of Section 10 of the Order in Council P.C. 2448, consisting of the following:

L. D. Wilgress, Deputy Minister of Trade and Commerce—Chairman.

G. S. H. Barton, Deputy Minister of Agriculture.

G. C. Bateman, Metals Controller, Department of Munitions and Supply.

R. C. Berkinshaw, Chairman, Wartime Industries Control Board, Department of Munitions and Supply.

W. A. Mackintosh, Special Assistant to the Deputy Minister of Finance.

H. B. McKinnon, Wartime Prices and Trade Board.

N. A. Robertson, Under-Secretary of State for External Affairs.

H. D. Scully, Commissioner of Customs.

T. A. Stone, Department of External Affairs.

Further, that the Advisory Committee on Economic Policy also consider it expedient:

- (a) That an Executive Sub-committee of the above-named Committee be established to pass upon applications for export permits with a view to applying the principles agreed upon by that Committee in accordance with the policy of the Government;
- (b) That this Executive Sub-committee be presided over by a Chairman who will be free of all other official duties and be in a position to devote his full time to this office;
- (c) That the other members of the Executive Sub-committee shall consist of representatives to be nominated by the following government departments or agencies:

Wartime Industries Control Board

Foreign Exchange Control Board

Wartime Prices and Trade Board

Department of Trade and Commerce

Department of External Affairs.

Further, that the foregoing has been approved by the War Committee of the Cabinet.

The Committee, therefore, on the recommendation of the Minister of Trade and Commerce advise:

- (1) That the establishment of the above-named committees be approved;
- (2) That the position of Chairman of the Executive Sub-committee of the Advisory Committee on Export Control be hereby created, said officer to be under the control of and responsible to the Minister of Trade and Commerce, but to have full authority to call into consultation representatives of any other government department or agency;
- (3) That the salaries and expenses of the above-named officer and any additional staff he may require, subject to the approval of the Governor General in Council, shall be payable out of monies allotted to the Export Permit Branch of the Department of Trade and Commerce, appropriated by the War Appropriation Act 1941, and under subsequent War Appropriation Acts.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending P.C. 6931, Sept. 2, 1941—re Wartime Wages Policy in Commissions of Inquiry

P.C. 9272

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 27th November, 1941.

The Committee of the Privy Council have had before them a report, dated 24th November, 1941, from the Acting Minister of Labour, representing:

1. That by Order in Council, P.C. 6931 of the 2nd September, 1941, a commission was appointed under the provisions of Part I of the Inquiries Act, Chapter 99 of the Revised Statutes of Canada, 1927, to conduct an inquiry into the matters set out in the said Order.

2. That the commissioners were instructed in the said Order, in making their recommendations, to have full regard to the wartime wages policy prescribed in Order in Council, P.C. 7440, dated December 16, 1940, as amended by Order in Council, P.C. 4643, dated June 27, 1941.

3. That by Order in Council P.C. 8253 of the 24th October, 1941, the said Orders in Council, P.C. 7440 and P.C. 4643, aforesaid, were revoked effective November 15, 1941.

4. That it is expedient that the commissioners be instructed that in making their report regard shall be had to the wartime wages policy prescribed in Order in Council, P.C. 8253, of the 24th October, 1941.

The Committee, therefore, on the recommendation of the Acting Minister of Labour, advise that Order in Council P.C. 6931, dated September 2, 1941, be hereby amended by rescinding the paragraph thereof which reads as follows:

The Minister also recommends that the Commissioners have the right to determine the manner of conducting the proceedings in respect to such inquiry and to make all necessary inquiries and investigation for the purpose of ascertaining what wage or other labour conditions should be established and whether or not such conditions should be uniform in the

plants under inquiry, the Commissioners to present their report on the matters investigated and their findings and recommendations to the Minister of Labour; in making their recommendations the Commissioners to have full regard to the wartime wages policy prescribed in Order in Council, P.C. 7440, dated December 16, 1940, as amended by Order in Council, P.C. 4643, dated June 27, 1941,

and substituting therefor the following:

"The Minister also recommends that the Commissioners have the right to determine the manner of conducting the proceedings in respect to such inquiry and to make all necessary inquiries and investigation for the purpose of ascertaining what wage or other labour conditions should be established and whether or not such conditions should be uniform in the plants under inquiry, the Commissioners to present their report on the matters investigated and their findings and recommendations to the Minister of Labour; in making their recommendations the Commissioners to have full regard to the wartime wages policy prescribed in Order in Council, P.C. 8253, dated October 24, 1941."

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council amending regulations respecting supplies,
P.C. 6391, Aug. 19, 1941**

P.C. 9282

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 27th day of November, 1941.

PRESENT:

His Excellency

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 6391 of 19th August, 1941, provision was made for the appointment of a Controller of Supplies, and Regulations Respecting Supplies were established, by virtue of which certain powers and duties were conferred or charged upon the Controller of Supplies;

And whereas by Order in Council P.C. 7174 of 12th September, 1941, the said Order in Council P.C. 6391 was amended by amending the definition of "supplies" and by conferring additional powers on the Controller of Supplies;

And whereas the Minister of Munitions and Supply reports that it is necessary to further amend and clarify the said Order in Council P.C. 6391 to avoid conflict with, and to enable the Controller of Supplies to assist in, the increased powers and duties of the Wartime Prices and Trade Board;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply (concurred in by the Minister of Finance) and under the authority of and pursuant to the powers conferred by The Department of Munitions and Supply Act and by

The War Measures Act, is pleased to amend the "Regulations Respecting Supplies" established by Order in Council P.C. 6391 of the 19th August, 1941, and they are hereby further amended as follows:

- (1) Paragraph (m) of section 1 of the said Regulations as substituted by Order in Council P.C. 7174 is hereby rescinded and the following substituted in place thereof:
(m) "supplies" means any of those goods or services which the Minister shall from time to time by order in writing signed by him designate as being "supplies" within the meaning of this paragraph (m), and any such order shall have effect on and from the date thereof or such other date as the Minister may fix, and shall as soon as possible thereafter be published in the *Canada Gazette*, unless the Minister or both the Controller and the Chairman of the Wartime Industries Control Board otherwise directs or direct.
- (2) The following paragraph to be called paragraph (ee) is added to section 1 of the said Regulations immediately after paragraph (e) thereof:
(ee) "goods" includes any articles, commodities, substances or things.
- (3) The following paragraph to be called paragraph (11) is added to section 1 of the said Regulations immediately after paragraph (1) thereof:
(11) "services" means any activities or undertakings designated by the Minister as "supplies" under paragraph (m) of this section and any services associated therewith or ancillary thereto.

His Excellency in Council is further pleased to order and it is hereby ordered that the above amendments shall be deemed to have come into effect on and shall be effective on and from September 12th, 1941.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing storage facilities re "Munitions" and "Supplies"

P.C. 9297

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 27th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas sub-section (1) of Section 12 of The Department of Munitions and Supply Act provides as follows:

- "12. (1) Where the Minister is satisfied that any person—
(a) who carries on the business of storing goods; or
(b) who produces any munitions of war or supplies;

having been requested to enter into a contract by the Minister or any government department for the storage of any munitions of war or supplies so required on terms which appear to the Minister to be fair and reasonable, has refused or failed to enter into the contract, the Minister may give that person directions to store such munitions of war or supplies for such period and at such place as may be specified in the directions:

Provided that the Minister shall not give directions to any person under this section unless he is satisfied—

- (i) that the person has accommodation available at the place specified in the directions for the munitions of war or supplies which he is required to store; and
- (ii) in the case of any such person as is mentioned in paragraph (b) of this subsection, that the munitions of war or supplies which he is required to store are, or could conveniently be, used for or in connection with the production of the supplies mentioned in such paragraph."

And whereas said subsection (1) does not provide for cases where persons may have suitable accommodation for storage of munitions of war or supplies where such persons are not carrying on the business of storing goods or where such persons are not producing any munitions of war or supplies;

And whereas the Minister of Munitions and Supply reports that facilities for the storage of munitions of war or supplies are now and will be urgently required and that in his opinion it is necessary to provide for the acquisition of storage facilities which may be available and under the control of persons who are not carrying on the business of storing goods or who are not producing munitions of war or supplies;

Therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply and under the authority of The War Measure Act, is pleased to amend The Department of Munitions and Supply Act and it is hereby amended by deleting clause (a) of subsection (1) of Section 12 thereof and substituting therefor the following clause:

'(a) has under his control accommodation suitable for the storage of any munitions of war or supplies; or'

His Excellency in Council is further pleased to order and it is hereby ordered that the above amendment shall be effective forthwith on publication in *The Canada Gazette*.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing Wartime Salaries Order

Canada Gazette (Extra), 1st December, 1941

P.C. 9298

AT THE GOVERNMENT HOUSE AT OTTAWA

THURSDAY, the 27th day of November, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas Order in Council P.C. 8253 dated October 24, 1941, provided, among other things, for a National War Labour Board, and ordered that no

employer as therein defined shall increase the basic scale of wage rates paid by him as at November 15, 1941, without the written permission of the said Board, as therein provided:

And whereas the said Order required employers subject to it to pay a cost-of-living bonus in accordance with and subject to conditions laid down in the said Order to all their employees other than those above the rank of foreman or comparable ranks;

And whereas the said Order requires amplification in so far as it applies to employees above the rank of foreman or comparable ranks;

And whereas the Minister of Finance on November 6, 1941, announced that supplementary measures would be taken to limit managerial and executive salaries;

And whereas it is desirable that a further Order be now issued limiting salaries paid to salaried officials above the rank of foreman or comparable ranks;

Now therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and the Minister of National Revenue and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to make the following order, to be called "The Wartime Salaries Order", and it is hereby made and established accordingly,—

ORDER

1. For the purpose of this Order, unless the context otherwise requires
 - (a) "employer" shall include any person, body corporate or politic and any association or other body, the heirs, executors, administrators, curators and other legal representatives of such person according to the law of that part of Canada to which the context extends, irrespective of the number of persons employed by him, but shall not include
 - (i) any department or agency of any provincial government or any municipality;
 - (ii) any department or agency of the Government of Canada subject to the provisions of Order in Council P.C. 6702 of August 26, 1941, as amended.
 - (b) "salaried official" shall include every individual above the rank of foreman or comparable ranks who is an employee of an employer and shall include a director of an incorporated company; Provided that in cases where the nature of the employee's duties or responsibilities does not indicate clearly whether he is or is not above the rank of foreman or comparable ranks;
 - (i) any decision or ruling of the National War Labour Board or a Regional War Labour Board as to whether or not that employee, or that particular class of employee, is or is not above the rank of foreman or comparable ranks for the purpose of the Wartime Wages and Cost of Living Bonus Order shall be taken as applying for the purpose of this Order;
 - (ii) in the absence of such relevant decision of the National, or a Regional, War Labour Board, the Minister of National Revenue shall have power to decide whether a specific employee, or particular class of employees, shall be regarded as above the rank of foreman or comparable ranks for the purpose of this Order;

- (iii) in the absence of a decision as provided for in (i) and (ii) hereof, or pending such decision, an employee receiving a total salary of more than \$250 per month shall be deemed to be above the rank of foreman or comparable ranks;
- (c) "salary" shall include wages, salaries, bonuses, gratuities, emoluments, or other remuneration, including any share of profits or bonuses dependent upon the profits of the employer, and all other forms of "income" as defined by Section 3 of the Income Tax Act, if such income is related to the office or position occupied by the recipient, and shall include payments to persons other than the employee in respect of services rendered by the employee, and also payments in kind, provided, however, that a salesman's commission, unless it has, in the opinion of the Minister of National Revenue, been substituted in whole or in part for another type of remuneration primarily with a view to defeating the purpose of this Order or been unreasonably increased since November 6, 1941, shall not be deemed to be a "salary".

2. Unless otherwise permitted by paragraphs 3 and 4 hereof no employer shall increase the rate of salary paid to salaried officials above the most recent salary rate established and payable before November 7, 1941, and no employer shall pay bonuses, gratuities or shares of profits to a salaried official during any year following November 6, 1941, in a total amount in excess of the total amount of such bonuses, gratuities or shares of profits paid to the said salaried official during the twelve months ending November 6, 1941, except where the salaried official has a contractual right which existed at November 6, 1941, to receive such a bonus, gratuity or share of profits defined as a fixed percentage of or in fixed ratio to his salary, the profits of the business, or the amount of sales, output or turnover of the business, in which case the employer may continue to pay the said bonus, gratuity or share of profits at the same fixed percentage or ratio as that contracted for previous to November 7, 1941. Nothing herein shall be deemed to limit the right of the Minister of National Revenue under the Income War Tax Act and The Excess Profits Tax Act, 1940, to disallow any portion of any salary, bonus, gratuity or share of profits as being an unreasonable and abnormal expense of the employer.

3. (1) Notwithstanding anything contained in paragraph 2 hereof, an increase in salary rate may be permitted if the employer establishes to the satisfaction of the Minister of National Revenue that the increase is commensurate with and is occasioned by a *bona fide* and reasonable promotion of a specific salaried official who has been given added responsibilities and increased duties, providing that the total salary including the increase is comparable with the level of salaries for comparable positions in similar businesses and provided that if the total salary, including the increase, is

- (a) less than \$7,500 per year, such increase is reported to and approved by the Minister of National Revenue on or before the assessment of the income tax return of the employer for the year in which the increase was made, or
- (b) \$7,500 or over, such increase has been reported to and approved by the Minister of National Revenue before the payment of the increase.

(2) After any such increase has been approved in accordance with subsection (1) of this paragraph and a new salary level so established, the provisions of this Order shall apply to the said salary level from the effective date of that increase as if it had been established at November 6, 1941.

4. Notwithstanding paragraph 2 hereof, an employer may, without specific approval of the Minister of National Revenue, pay to salaried officials receiving salaries less than \$3,000 per year a cost-of-living bonus not greater than an amount of bonus based, in the manner herein provided, on the cost-of-living index for the Dominion as a whole prepared by the Dominion Bureau of Statistics.

- (a) If the payment of a cost-of-living bonus is commenced after the effective date of this Order, it shall not be payable in respect of any services rendered prior to February 15, 1942, and it shall reflect no more than the increase in the said index after October 1, 1941;
- (b) If the salary rate payable to a salaried official on November 6, 1941, included a cost-of-living bonus determined in a manner consistent with sub-paragraphs (c) and (d) hereof, or pursuant to P.C. 7440 of December 16, 1940, there may be added to such bonus an amount based, in the manner herein provided, on the rise in the index number for October, 1, 1941, above the most recent index number used to determine the then current amount of such bonus, and the total salary including such added amount of bonus shall be regarded, for the purposes of this Order, as the rate of salary in effect at November 6, 1941; and further amounts to be added to such bonus, in the manner hereinafter prescribed, shall not be based on any increase in the said index number prior to October 1, 1941, and shall not be payable in respect of any services rendered prior to February 15, 1942;
- (c) The rise or fall in the index shall be measured in points to the nearest $\frac{1}{16}$ of one point, after the index has been adjusted to the base of 100 for August, 1939;
- (d) For each rise of one point in the index, the amount of the bonus or the increase in the amount of the bonus, as the case may be, and for each fall of one point in the index the decrease in the amount of the bonus shall be:
 - (i) twenty-five cents per week for all adult male salaried officials and for all other salaried officials employed at salary rates of \$25 or more per week, and
 - (ii) one per cent of their salary rate for male salaried officials under 21 years of age, and female salaried officials, employed at salaries of less than \$25 per week.
- (e) The amount of the bonus may be re-determined every three months on the basis of the change in the cost-of-living shown by the index number for the immediately preceding month as compared with the index number on which the last previous change in the amount of the bonus was based. The amount of the bonus shall not be changed unless the cost of living has changed one whole point or more. Employers shall be guided in determining whether the bonus may be changed by the announcement of the change, if any, in the index number as given by the National War Labour Board pursuant to The Wartime Wages and Cost-of-Living Bonus Order, being P.C. 8253, dated October 24, 1941.

5. Any employer, or his officer or agent, who pays or contracts to pay a salaried official a salary in violation of any provision of this Order or contravenes or fails to observe any of the provisions hereof shall be guilty of an offence and liable on summary conviction to a fine of not less than \$100 nor more than \$5,000, for each such violation, contravention or failure.

6. The amount of any salary, found by the Minister of National Revenue to have been paid in excess of the amounts permitted by this Order or to have been paid in violation of this Order, shall be deemed to be an unreasonable and abnormal expense of the employer for all purposes including the purposes of the Income War Tax Act and The Excess Profits Tax Act, 1940, and pursuant to subsection (2) of Section 6 of the Income War Tax Act and Section 8 (b) of The Excess Profits Tax Act, 1940, such amount shall be disallowed as an expense of the employer in assessing the employer's profits subject to taxation under the said Act.

7. Nothing in this Order shall be deemed to limit the discretionary power of the Minister of National Revenue as provided for in the Income War Tax Act or The Excess Profits Tax Act, 1940 and, more particularly, the power of the said Minister to determine whether a salary or rate of salary, whether paid or payable prior to or subsequent to the effective date of this Order, was reasonable and normal for the business, for purposes of assessment under the said Acts.

8. No agreement providing for an increase in the rate of salary above the rate payable at November 6, 1941, shall be enforceable in respect of such increase except and to the extent that such increase is within the amount that may be permitted by paragraphs 3 or 4 hereof, and no action shall lie against any person for breach of contract for complying with the provisions of this Order or for refusing to pay any salary in excess of the amount permitted by this Order.

9. The Minister of National Revenue with the approval of the Governor in Council may make such regulations in furtherance of the provisions of this Order as may be required for carrying this Order into effect and in particular, but not so as to limit the generality of the foregoing, he may provide by regulation for the determination of the persons to whom this Order is applicable with a view to ensuring that salaried officials not subject to the Wartime Wages and Cost-of-Living Bonus Order, P.C. 8253, dated October 24, 1941, will be subject to this Order.

10. This Order shall be effective on and after midnight of November 6, 1941.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations respecting oils

P.C. 9338

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 2nd day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 5468 of the 9th day of October, 1940, approval was given to the appointment by the Wartime Prices and Trade Board of Dr. George Hilton as Oils Administrator and of Mrs. Phyllis G. Turner as Technical Adviser to the Oils Administrator, and Regulations Respecting Oils were made and established;

And whereas the Minister of Finance reports that the Wartime Prices and Trade Board represents that the Oils Administrator is desirous that another person, free to devote more time to the duties of such Administrator, be appointed in his place and stead, and that the Board, subject to the approval of the Governor General in Council, has appointed the said Mrs. Phyllis G. Turner as Oils and Fats Administrator accordingly;

And whereas it is deemed expedient and advisable to amend the said Regulations as hereinafter set forth;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and pursuant to powers conferred on the Governor in Council by the War Measures Act and otherwise, is pleased to approve and doth hereby approve the appointment by the Wartime Prices and Trade Board of Mrs. Phyllis G. Turner, Economic Adviser to the Board, as Oils and Fats Administrator, in the place and stead of Dr. George Hilton; such administrator to be responsible, under the direction of the Board, for any necessary arrangements to ensure continuity of supply, the best possible utilization and allocation of animal and vegetable oils, soaps, paints, varnishes and other protective coatings and printing inks, and the performance of such other duties as may be assigned to her from time to time by the Board, to serve without additional remuneration but to receive her actual living and transportation expenses while absent from her place of residence in performance of her duties.

His Excellency in Council, on the same recommendation and under the above cited authority, is further pleased to amend the said Regulations Respecting Oils and they are hereby amended as follows,—

1. By deleting paragraph (b) of Section 1 thereof and by substituting therefor the following:

“(b) ‘Oils’ shall mean fixed or fatty oils and fats of vegetables or animal origin, whether processed, partly processed or unprocessed, including marine animal oils but excluding butter; soaps; paints, varnishes and other protective coatings; printing inks; and all vitamin extracts and preparations.”

2. By deleting therefrom the words “Oils Administrator” wherever such words appear in such Regulations and by substituting therefor the words “Oils and Fats Administrator”.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing supplementary allowance by War Veterans Allowance Board

P.C. 113/9400

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 3rd December, 1941.

The Board had under consideration a memorandum from the Honourable the Minister of Pensions and National Health reporting that:—

“Whereas, under the provisions of the War Veterans’ Allowance Act, Chapter 48 of the Statutes of Canada of 1930, as amended by Chapter 48

of the Statutes of 1936 and Chapter 16 of the Statutes of 1938, an allowance may be paid to a veteran, as defined therein, who on account of age, physical or mental disability or insufficiency and limited income, is unable to provide maintenance for himself and his dependents;

Whereas, under the provisions of the aforementioned Act, in the case of a bachelor or a widower without children an allowance not in excess of \$20, and in the case of a married man or a widower with a dependent child or children and allowance not in excess of \$40 per month may be awarded, which allowances are deemed, owing to the increase in the cost of living, to be insufficient, in the absence of any other income, to obviate hardship in those cases where the veteran is incapable of augmenting his income by earnings.

The undersigned has the honour to recommend, therefore, that under and by virtue of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, and notwithstanding anything to the contrary contained in the War Veterans' Allowance Act, the following regulations be made and established:

REGULATIONS

1. The War Veterans' Allowance Board may award a supplementary allowance to a veteran who is in receipt of the maximum allowance payable under the War Veterans' Allowance Act and who, in the opinion of the said Board, is incapable of augmenting his income by earnings and would otherwise experience privation, subject to the following conditions:—

- (a) if a bachelor or a widower without children, \$5 per month, or
- (b) if a married man or a widower with a child or children, \$10 per month;

provided the supplementary allowance shall be reduced by the amount of any income of which he may be in receipt other than the permissive income allowed under the provisions of subsections (a), (b) and (bb) of Section 7 of the said Act.

2. All matters and questions relating to the award, increase, decrease, suspension or cancellation of the additional allowance payable under these regulations shall be dealt with and adjudicated upon by the War Veterans' Allowance Board in like manner and to all intents and purposes as though such matters and questions arose under the War Veterans' Allowance Act.

3. These regulations shall be deemed to have come into force as, of and from November 15th, 1941, and all payments required to be made thereunder shall be from funds provided under the War Appropriation Act."

The Board concur in the above report and recommendation, and submit the same for favourable consideration, all payments made thereunder, however, to be chargeable to the regular Departmental Appropriation for War Veterans' Allowances.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending P.C. 8253, Oct. 24, 1941—Regional
War Labour Boards**

Canada Gazette (Extra), 9th December, 1941

P.C. 9514

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 5th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports with reference to Order in Council P.C. 8253 of 24th October, 1941,—

1. That there is an active demand from employers or employees for the application of the provisions of the said order to smaller employers not now covered;
2. That the establishment of one Regional War Labour Board for each Province would facilitate Dominion-Provincial co-operation in the enforcement of the said order;
3. That employers should be prohibited from decreasing wage rates without permission; and
4. That the relationship of the said order to Provincial minimum wage and related laws should be clarified;

And whereas the Minister of Labour, after consultation with the Executive Committee of the National War Labour Board and the Provincial Ministers of Labour, recommends that the said Order in Council be amended as hereinafter set out.

Now, therefore, His Excellency the Governor General in Council, under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to amend Order in Council P.C. 8253 of 24th October, 1941, and it is hereby amended as follows:—

1. By deleting section 2 thereof and substituting therefor the following:
 - “2. (1) In this order, unless the context otherwise requires, ‘employer’ means any person, firm or corporation employing any person but shall not include
 - (i) any department or agency of the Government of Canada subject to the provisions of Order in Council P.C. 6702, of 26th August, 1941, as amended; or
 - (ii) any department or agency of any provincial government or any municipality; or
 - (iii) any person, firm or corporation engaged in agriculture, horticulture, fishing, hunting or trapping; or
 - (iv) any hospital or religious, charitable or educational institution or association not carried on for purposes of gain.
 - (2) This order shall be applicable in respect of all employment by any employer other than domestic service in a private home and employment of a casual nature otherwise than for the purpose of the employer’s trade or business.”

2. By adding to subsection 7 (1) (d) thereof the following:
“and for such purposes to act for the National Board as set out in the by-laws.”
3. By deleting subsections (1) to (5) inclusive of section 8 thereof and substituting therefor the following:

“8. (1) There shall be nine Regional War Labour Boards (hereinafter referred to as Regional Boards), one for each Province, each of which shall consist of a chairman and one or more representatives of employers and one or more representatives of employees.

(2) The chairman of the Regional Board for each Province shall be the Minister of Labour of that Province, or if there is no such Minister, the Minister of that Province whose duties include the regulation of working conditions and related matters.”

4. By renumbering subsections (6) to (10) inclusive of section 8 thereof as subsections (3) to (7) inclusive.

5. By inserting the words “or decrease” after the word “increase” in subsection 11 (1) thereof.

6. By adding to section 16 thereof the following:

“Notwithstanding any provision of any collective agreement with respect to working conditions, either party to any such agreement may apply to the National War Labour Board for the revision or suspension of any such conditions and the Board shall have power to direct any revision or suspension thereof not inconsistent with the provisions of this Order which it may deem advisable.”

7. By inserting the words “or Provincial” after the word “Dominion” in section 18 thereof.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council applying Staggered hours to Civil Service—
departments listed**

P.C. 9522

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 5th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Secretary of State reports,—

- (1) That a recommendation has been made by Mr. W. J. Lynch, Dominion Transit Controller, that a certain portion of the Public Service at Ottawa, now reporting for duty daily at 9.00 o'clock in the forenoon, should report at an earlier or a later hour;
- (2) That as a result of the said recommendation of the Dominion Transit Controller, he appointed a Committee to inquire into the best method

of applying staggered hours to the Civil Service at Ottawa, such Committee being composed of Charles H. Bland, Esquire, Chairman of the Civil Service Commission, W. C. Ronson, Esquire, Assistant Deputy Minister of Finance, T. R. Montgomery, Esquire, President of the Civil Service Association of Ottawa, and D. N. Gill, Esquire, Manager of the Ottawa Electric Railway Company, Ottawa;

- (3) That the said Committee has reported that it has reviewed the situation with respect to traffic conditions in Ottawa, as explained by the Dominion Transit Controller and by the Manager of the Ottawa Electric Railway Company, that it has given consideration to the general questions which would govern a policy in this connection and that, after consultation with the various Departments of the Public Service, the Committee has recommended that, if it is decided that a change in hours is to be made, the following units might, without interference with their efficiency and without serious inconvenience to the employees, be asked to report for their respective duties at 8.30 o'clock or at 8.45 o'clock in the forenoon daily, as the case may be, instead of at 9.00 o'clock for the duration of the present traffic situation:—

Department	Approximate number involved
Mines and Resources.....	1,000
(at 8:30 a.m.)	
National Revenue—	
Customs and Excise.....	500
Income Tax (Local).....	400
(at 8:30 a.m.)	
Post Office—	
(Financial Branch)	500
(at 8:30 a.m.)	
Public Works—	
(Hunter Building and West Block)	250
(at 8:30 a.m.)	
Trade and Commerce—	
Bureau of Statistics.....	1,770
(at 8:45 a.m.)	
Auditor General and Treasury staffs servicing above units	220
(at 8:30 a.m.)	
Munitions and Supply.....	1,800
(at 8:30 a.m.)	
Total	6,440

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Secretary of State, and under and by virtue of the powers conferred on the Governor in Council by The War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and doth hereby order that the following units of the Civil Service in the City of Ottawa be required to report for duty at 8:30 o'clock in the forenoon daily instead of at 9:00 o'clock:

Department	Approximate number involved
Mines and Resources.....	1,000
National Revenue—	
Customs and Excise.....	500
Income Tax (Local).....	400
Post Office—	
(Financial Branch)	500
Public Works—	
(Hunter Building and West Block).....	250
Auditor General and Treasury staffs servicing above units	220
Munitions and Supply.....	<u>1,800</u>
	4,670

and that the following unit be required to report for duty at 8:45 o'clock in the forenoon daily instead of at 9:00 o'clock:

Department	Approximate number involved
Trade and Commerce—	
Bureau of Statistics.....	1,770

His Excellency in Council for the purpose of avoiding any disruption of the Public Service, is further pleased, on the recommendation of the Secretary of State, to approve the following recommendations of the Committee first herein mentioned, the necessary directions for the implementing of such recommendations to be given to those concerned by the Civil Service Commission:

- (1) That the reasons for the change as a war measure be clearly explained to the Departments concerned, to the service generally and to the general public; (This is considered particularly desirable in view of the fact that there appears to be a somewhat widespread feeling that the change has been advocated by the Street Railway Company and is intended for its benefit);
- (2) That the Departments concerned be advised that the administration of the Order is in their hands and that minor changes therein may be made by them as necessitated by departmental needs or by special cases of hardship involved, so long as the total so involved is not materially affected;
- (3) That the employees reporting at 8:30 be released one half hour earlier than has previously been the case and those reporting at 8:45 one quarter hour earlier than has previously been the case;
- (4) That the Departments concerned be advised that it will be necessary that adequate service, by means of a skeleton staff, be maintained until the regular closing hour; also that arrangements will require to be made with the Ottawa Post Office to have mail collected in sufficient time to be available for action by 8:30;
- (5) That the Public Works Department be furnished with a list of the units concerned and the buildings in which they are located, and that it be asked to make the necessary arrangements for heating, char and elevator service;

- (6) That the Royal Canadian Mounted Police be advised of the units concerned and the buildings in which they are located, and that they be asked to make the necessary arrangements for protective service;
- (7) That the Post Office Department be advised of the units concerned and the buildings in which they are located and that it be asked to arrange for the availability of the mail for such units half an hour or one quarter hour, as the case may be, earlier than at present arranged;
- (8) That the Ottawa Electric Railway Company, in view of this endeavour of the Public Service to co-operate with it, be asked to improve running conditions in every way possible, including elimination of unnecessary stops and the fullest and most effective use of present equipment;
- (9) That the Committee review the situation in the Spring of 1942, in order to make inquiries concerning:
 - (a) improvements effected by the Railway Company, and
 - (b) the effect on administration in the Departments concernedand that, accordingly, the arrangements herein indicated be effective to April 30th, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council declaring State of War with Roumania,
Hungary and Finland**

P.C. 9542

*Certified to be a true copy of a Minute of a Meeting of the Committee of the
Privy Council, approved by His Excellency the Governor General on the
6th December, 1941.*

The Committee of the Privy Council have had before them a report, dated 6th December, 1941, from the Right Honourable W. L. Mackenzie King, the Prime Minister, representing: —

That the United Kingdom has declared war against Roumania, Hungary and Finland by reason of the persistence of those countries in fighting on the side of Germany and against countries allied with Great Britain in the present war;

That the actions of Roumania, Hungary and Finland in thus assisting the Axis powers are helping to jeopardize the defence of all the nations of the British Commonwealth and the freedom of all countries;

That the Government of Canada, in accordance with the decision of the Parliament of Canada for effective co-operation by Canada at the side of Britain to resist aggression, has associated itself with this declaration; and

That it is expedient that a Proclamation should be issued declaring the existence of a state of war between Canada and Roumania, Hungary and Finland.

The Prime Minister, therefore, recommends that the advice of the King's Privy Council for Canada be submitted to the King, with a view to the authorization by His Majesty of the issuing of a Proclamation forthwith, to be published in the *Canada Gazette*, to the following effect:

"Declaring that a state of war with Roumania, Hungary and Finland exists and has existed in Canada as and from the seventh day of December, 1941."

The Committee concur in the foregoing recommendation and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Proclamation

7th December, 1941.

ATHLONE
[L.S.]

CANADA

GEORGE THE SIXTH, by the Grace of God, of Great Britain, Ireland and the British Dominions beyond the Seas KING, Defender of the Faith, Emperor of India.

To all to whom these Presents shall come or whom the same may in anywise concern, GREETING:

A PROCLAMATION

J. E. MICHAUD,
Acting Attorney-General, Canada.

Whereas by and with the advice of Our Privy Council for Canada, We have signified our Approval of the issue of a Proclamation in the *Canada Gazette* declaring that a State of War with Roumania, Hungary and Finland exists and has existed in Canada as and from the 7th day of December, 1941.

Now, Therefore, We do hereby declare and proclaim that a State of War with Roumania, Hungary and Finland exists and has existed in Canada as and from the 7th day of December, 1941.

Of All Which Our Loving Subjects and all others whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

In testimony whereof We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. Witness: Our Dear Uncle, Our Right Trusty and Right Well-beloved Cousin and Counsellor, Alexander Augustus Frederick George, Earl of Athlone, Knight of Our Most Noble Order of the Garter, a Member of Our Most Honourable Privy Council, Knight Grand Cross of Our Most Honourable Order of the Bath, Grand Master of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, Companion of Our Distinguished Service Order, Colonel in Our Army (retired), having the Honorary rank of Major-General, one of Our Personal Aides-de-Camp, Governor General and Commander-in-Chief of Our Dominion of Canada.

At Our Government House, in Our City of Ottawa, this seventh day of December, in the year of Our Lord one thousand nine hundred and forty-one and in the fifth year of Our Reign.

By Command

W. L. MACKENZIE KING,
Prime Minister of Canada.

**Order in Council amending the Defence of Canada Regulations
(Consolidation) 1941—registration of Roumanians,
Hungarians and Finns**

Canada Gazette (Extra), 5th January, 1942

P.C. 9543

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 23rd day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, by reason of the existence of a state of war with Roumania, Hungary and Finland, it has become necessary to make provision for the special position of persons of Roumanian, Hungarian and Finnish nationality;

And whereas it is recognized that most persons of Roumanian, Hungarian or Finnish nationality residing in Canada are law abiding, well disposed and loyal inhabitants of this country, contributing to its war effort and disavowing any allegiance to the Nazi controlled puppet governments of their countries of origin;

And whereas it is deemed expedient that such persons should not be generally subjected to the Defence of Canada Regulations relating to enemy aliens.

Now, therefore, His Excellency the Governor General in Council, on the recommendations of the Minister of Justice and under the authority of The War Measures Act, chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by inserting the following after Regulation 26B, as Regulation 26C:

26C. "(1) The Registrar General may, on the personal application to a Registrar of any person of Roumanian, Hungarian or Finnish nationality resident in Canada, issue a certificate exempting such person from the operation of Regulations 24, 25 and 26 of these Regulations and may, at his absolute discretion, at any time, without previous notice, cancel any certificate so issued.

(2) When any such certificate is cancelled, the person in respect of whom it was issued shall thereupon be subject to all the provisions of Regulations 24, 25 and 26 of these Regulations, except that the time within which he shall register pursuant to the provisions of paragraph 4 of Regulation 25 shall be five days from the day upon which he is notified of such cancellation."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing bonus re oil dipping of eggs for British Ministry of Food

P.C. 9588

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 16th December, 1941.

The Committee of the Privy Council have had before them a report, dated 8th December, 1941, from the Minister of Agriculture, representing,—

That during the past summer the British Ministry of Food placed an order, through the Special Products Board, for certain minimum quantities of Canadian eggs, of which at least 772,000 30-dozen cases were for shipment as fresh eggs between January 1, 1942, and May 31, 1942, and at least 500,000 30-dozen cases were to be purchased during the spring of 1942 and placed in storage for fall shipment, and the Ministry have repeatedly asked that the winter and spring fresh-egg shipments be increased above the minimum mentioned and that similar increases be made in quantities stored for fall shipment, if possible;

That the prices agreed upon at the time the order was placed, in early summer, were as follows: eggs for shipment in fresh state, 32·12c. per dozen for purchases made to February 28, 1942, and 28·79c. per dozen for purchases made during March, April, and May, 1942, storage eggs for fall shipment, to be purchased at the spring price plus 2 shillings per 10 dozen for storage charges, resulting in a price for storage eggs f.o.b. seaboard of 32·12c per dozen.

That although the prices mentioned were considered satisfactory at the time, an increasing demand for eggs for domestic consumption makes more difficult the assurance of supplies for export, labour and other production costs have risen (only partially offset by freight assistance on feeds), and returns from other live stock products have increased so that in many cases it appears more profitable to produce other live stock products in lieu of eggs—all these factors adding to the difficulty of obtaining the quantities of eggs ordered by the British Ministry;

That the British Ministry of Food is desirous of having as high a proportion of the eggs as possible of Grade A—for example, while the order for deliveries during May, 1941, called for 60 per cent Grade A and the new order originally provided for 87 per cent Grade A eggs for deliveries in the spring of 1942, the Ministry now asks that all eggs for May, 1942, be Grade A, a quality requirement that will call for strenuous effort to obtain the highest possible percentage of Grade A eggs, both for fresh shipment and for storage, during the delivery periods; and

That because of shipping difficulties, of delay in transit, and of unusual handling of eggs on their arrival in Britain under wartime conditions, the British Ministry has requested that all eggs exported from Canada be oil-dipped before shipment to ensure their arrival in first class condition in Britain, a process that adds $\frac{1}{2}$ cent per dozen to the cost of eggs.

The Minister, therefore, on the report of the Agricultural Supplies Board, recommends that, under the authority of the War Measures Act, the Special Products Board be hereby authorized to pay a bonus of 3 cents per dozen on all Grade A eggs purchased under the present order for a minimum of 772,000 30-dozen cases for fresh shipment and 500,000 30-dozen cases for storage, and to pay $\frac{1}{2}$ cent per dozen for the oil-dipping of all eggs so purchased.

The Minister further recommends that, under the authority of the War Measures Act, the expenditure of \$1,335,600 for the said purposes be approved and that such expenditures be chargeable to moneys allotted from the War Appropriation to the Department of Agriculture for the use of the Agricultural Supplies Board.

The Committee concur in the foregoing recommendation and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council applying provisions of Consolidated Regulations
Respecting Trading with the Enemy to Japanese Empire
or Japanese occupied or controlled territory**

Canada Gazette (Extra), 7th December, 1941

P.C. 9590

AT THE GOVERNMENT HOUSE AT OTTAWA

SUNDAY, the 7th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas it is considered necessary and expedient, with a view to preventing any of the resources in Canada of residents of the Japanese Empire and Japanese occupied and/or controlled territory from falling under the control or being used to the advantage of the enemy, to place under custody all property in Canada of persons residing in the Japanese Empire and Japanese occupied and/or controlled territory including Indo China, and to regulate trading with such persons;

And whereas the Prime Minister, for the Secretary of State, reports that the most expedient measure which can be adopted to ensure such custody and regulation is to use the machinery of the Custodian's office established under the Consolidated Regulations Respecting Trading with the Enemy (1939), and to confer on the Secretary of State the powers of regulation and control in respect of such property in Canada of persons residing in the Japanese Empire and Japanese occupied and/or controlled territory which are exercisable by him as Secretary of State and as Custodian under the Consolidated Regulations Respecting Trading with the Enemy (1939) in respect to proscribed territory.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Prime Minister, for the Secretary of State, concurred in by the Minister of Finance, and under and by virtue of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows:

From and including the seventh day of December, 1941, the provisions of the Consolidated Regulations Respecting Trading with the Enemy (1939) are hereby extended to and deemed to apply to the Japanese Empire and Japanese occupied and/or controlled territory as proscribed territory.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Defence of Canada Regulations (Consolidation) 1941—registration of persons of Japanese nationality

Canada Gazette (Extra), 7th December, 1941

P.C. 9591

AT THE GOVERNMENT HOUSE AT OTTAWA

SUNDAY, the 7th day of December, 1941.

PRESENT:

His EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Acting Minister of Justice reports that he has been advised by the Commissioner of the Royal Canadian Mounted Police that more information is obtained from persons of the Japanese race upon their registration with the Royal Canadian Mounted Police than that obtained upon the registration of enemy aliens under the provisions of the Defence of Canada Regulations; and

That the provisions of Defence of Canada Regulations 24, 25 and 26 should be extended to persons of Japanese nationality;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Acting Minister of Justice and under and by virtue of the provisions of The War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the Defence of Canada Regulations (Consolidation) 1941, made by Order in Council, P.C. 5295 of July 15th, 1941, and they are hereby amended as follows:

1. Paragraphs (4) and (5) of Regulation 25 are revoked and the following substituted therefor:—

“(4) Every enemy alien who has not prior to December 6, 1941, done so, shall, on or before February 7, 1942, or as soon thereafter as he becomes an enemy alien, attend before the Registrar or one of the Registrars in the city, town or place within or nearest to which he is or resides and truly answer such questions with regard to the matter referred to in paragraph (5) of this regulation as such Registrar may put to him.

“(5) When any enemy alien attends before him, the Registrar shall register such enemy alien in the manner required by the Registrar General and shall, except in the case of persons of the Japanese race who have registered with the Royal Canadian Mounted Police, record the following particulars:—

- (a) his name
- (b) his age
- (c) his nationality
- (d) his place of residence in Canada and in the Country of his nationality
- (e) his occupation
- (f) the names of his wife and children, if any, in Canada, and
- (g) such other particulars as are necessary for his identification or as may to the Registrar seem advisable.

The Registrar General may make provision for the issuance of an identification document to each enemy alien registered in accordance with the provisions of this Regulation.”

2. Regulation 26A is revoked and the following substituted therefor:—

“(26A. The provisions of Regulations 24, 25 and 26 of these Regulations shall apply *mutatis mutandis* to all persons

- (a) born in territories which were under the sovereignty or control of the German Reich on September 3, 1939, or
- (b) born in territories which were under the sovereignty or control of Italy on June 10, 1940, or
- (c) of the Japanese race other than citizens of the United States of America

who are not British subjects: Provided that the Registrar General may issue a certificate exempting any such person from the operation of the provisions of the said regulations, and provided further that the provisions of the said regulations shall not apply to persons who are nationals of and were born in Czechoslovakia, which for the purposes of this regulation, means Czechoslovakia as it existed on the first day of January, 1938.”

3. Paragraph (1) of Regulation 26B is amended by inserting the word “or” and adding the following sub-paragraph after sub-paragraph (c) thereof:—

“(d) are of the Japanese race;”

4. Regulation 2 is amended by adding the following thereto as paragraph (4):—

“(4) For the purposes of these regulations ‘person of the Japanese race’ shall include a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Registrar General of Enemy Aliens, by notice in writing, requires him to register as an enemy alien.”

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council declaring State of War with Japan, Dec. 7, 1941

P.C. 9592

Certified to be a true Copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 7th December, 1941.

The Committee of the Privy Council have had before them a report, dated 7th December, 1941, from the Right Honourable W. L. Mackenzie King, the Prime Minister, representing:—

That, to-day, Japan has wantonly and treacherously attacked British Territory and British forces, and also United States territory and United States forces;

That Japan's actions are a threat to the defence and freedom of Canada and the other nations of the British Commonwealth;

That the Government of Canada, in accordance with the decision of the Parliament of Canada for effective co-operation by Canada at the side of Britain to resist aggression, has associated itself with the Government of the United Kingdom in these hostilities; and

That it is expedient that a Proclamation should be issued declaring the existence of a state of war between Canada and Japan.

The Prime Minister, therefore, recommends that the advice of the King's Privy Council for Canada be submitted to the King, with a view to the authorization by His Majesty of the issuing of a Proclamation forthwith, to be published in the *Canada Gazette*, to the following effect:

"Declaring that a state of war with Japan exists and has existed in Canada as and from the seventh day of December, 1941."

The Committee concur in the foregoing recommendation and submit the same for approval.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Proclamation

8th December, 1941.

ATHLONE
[L.S.]

CANADA

GEORGE THE SIXTH, by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas King, Defender of the Faith, Emperor of India.

To all to whom these Presents shall come or whom the same may in anywise concern, GREETING:

A PROCLAMATION

J. E. MICHAUD,

Acting Attorney General, Canada.

Whereas by and with the advice of Our Privy Council for Canada We have signified our Approval of the issue of a Proclamation in the *Canada Gazette* declaring that a State of War with Japan exists and has existed in Canada as and from the 7th day of December, 1941.

Now, therefore, We do hereby declare and proclaim that a State of War with Japan exists and has existed in Canada as and from the 7th day of December, 1941.

Of all which Our Loving Subjects and all others whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. WITNESS: Our Dear Uncle, Our Right Trusty and Right Well-beloved Cousin and Counsellor, Alexander Augustus Frederick George, Earl of Athlone, Knight of Our Most Noble Order of the Garter, a Member of Our Most Honourable Privy Council, Knight Grand Cross of Our Most Honourable Order of the Bath, Grand Master of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, Companion of Our Distinguished Service Order, Colonel in Our Army (retired), having the honorary rank of Major-General, one of Our Personal Aides-de-Camp, Governor General and Commander-in-Chief of Our Dominion of Canada.

AT OUR GOVERNMENT HOUSE, in Our City of Ottawa, this eighth day of December, in the year of Our Lord one thousand nine hundred and forty-one and in the fifth year of Our Reign.

By Command,

W. L. MACKENZIE KING,

Prime Minister of Canada.

Order in Council establishing regulations War Savings Certificates held by married women in Quebec

P.C. 9599

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 31st day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under existing regulations governing the redemption of War Savings Certificates, if a War Savings Certificate held by a married woman domiciled in the Province of Quebec, and common as to property with her husband, is redeemed by payment to such married woman, inquiry must first be made as to whether the consent of the husband to such redemption is necessary;

And whereas the Minister of Finance reports that the volume of transactions in War Savings Certificates of small denominations is great and, consequently, the requirement aforesaid, that such consent be obtained, adds tremendously to the problem of administration and, moreover, prejudices seriously the sale of War Savings Certificates in the Province of Quebec; and

That the Bank of Canada, in its capacity as fiscal agent of the Government of Canada, has recommended that the regulations be relaxed so as to enable redemption of War Savings Certificates held by such married women just as freely as bank deposits are repaid to such married women as a result of section 95 of the Bank Act;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under and by virtue of the powers vested in the Governor in Council by the War Measure Act, chapter 206 of the Revised Statutes of Canada, 1927, is pleased to make the following regulation and it is hereby made and established accordingly,—

Notwithstanding the requirements of the law of the province in which a married woman is domiciled that, if she be common as to property with her husband the consent of her husband to the redemption of War Savings Certificates held by her is necessary, payment to such married woman, by way of redemption of War Savings Certificates held by her, may be made without the consent of the husband thereto being obtained and such payment shall release His Majesty from any further liability in respect of such War Savings Certificates.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council amending Dependents' Allowances (Army)

P.C. 13/9600

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 10th December, 1941.

The Board had under consideration the following memorandum from the Honourable the Minister of National Defence:—

“ 1. The undersigned has the honour to report, for the consideration of Your Excellency, that the Chairman, Dependents' Allowance Board has requested an amendment to Financial Regulations and Instructions for the Canadian Army so as to provide that a person or agency designated by the Board to administer allowances and assigned pay shall hold and administer such allowances and assigned pay subject to the direction of the Board and shall be accountable to the Board only for the proper disbursement thereof, and shall render an accounting thereof at such times and in such manner as required by the Board.

2. The Deputy Minister of Justice has given as his opinion that it is competent to the Governor General in Council to enact the proposed amendment to the Regulations under the authority of the War Measures Act.

3. The Acting Deputy Minister (Army) and the Adjutant-General therefore recommend that to give effect to the request of the Dependents' Allowance Board, the regulation embodied herein, which is in the terms suggested by the Deputy Minister of Justice, amending Article 111 of Financial Regulations and Instructions for the C.A.S.F. (Canada), be approved.

4. There is no increased expenditure involved.

5. The undersigned concurs in the above recommendations, and has the honour to recommend that Your Excellency in Council, under and by virtue of the provisions of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Act, Law, Statute or Regulation, be pleased to approve the following regulation:

REGULATION

The provisions of Article 111 of the Financial Regulations and Instructions for the Canadian Active Service Force (Canada) are amended by:

ARTICLE 111—(as amended by G.O. 49 of 1941):

Re-number present Article as '111 (1)', and add new Paragraph '(2)' as follows:

‘ (2) If the Board designates a person or agency to administer allowances and assigned pay for the benefit of the dependent, such person or agency shall hold and administer the allowances and assigned pay so received from time to time subject to the direction of the Board and shall be accountable to the Board only for the proper disbursement thereof and shall render an accounting thereof to the Board from time to time in the manner and as required by the Board.’

This regulation shall have force and effect as of and from the first day of December, 1940."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council amending Dependents' Allowances (Air)

P.C. 25/9600

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 10th December, 1941.

The Board had under consideration the following memorandum from the Honourable the Minister of National Defence for Air:

"1. The undersigned has the honour to report, for the consideration of Your Excellency, that the Dependents' Allowance Board has requested an amendment to Financial Regulations and Instructions for the Royal Canadian Air Force on Active Service (Canada) with respect to the administration of allowances for the benefit of certain classes of dependents.

2. The Deputy Minister of Justice has advised that he is of the opinion that it is competent to the Governor in Council to enact the proposed amendment to the regulations under the authority of the War Measures Act.

3. The Chief of the Air Staff and the Deputy Minister (Air Service) therefore recommend that to give effect to the request of the Dependents' Allowance Board, the regulation embodied herein, which is in the terms suggested by the Deputy Minister of Justice, amending Article 111 of Financial Regulations and Instructions for the Royal Canadian Air Force on Active Service (Canada), be approved.

4. There is no increased expenditure involved.

5. The undersigned concurs in this recommendation and has the honour to recommend that Your Excellency in Council, under and by virtue of the provisions of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and notwithstanding the provisions of any other Act, Law, Statute or Regulation, be pleased to approve the following regulation:

REGULATION

The provisions of Article 111 of the Financial Regulations and Instructions for the Royal Canadian Air Force on Active Service (Canada) are amended by:

Re-numbering present Article as '111 (1)' and

Adding the following sub-paragraph:

'(2) If the Board designates a person or agency to administer allowances and assigned pay for the benefit of the dependent,

such person or agency shall hold and administer the allowances and assigned pay so received from time to time subject to the direction of the Board and shall be accountable to the Board only for the proper disbursement thereof and shall render an accounting thereof to the Board from time to time in the manner and as required by the Board."

This regulation shall have force and effect as of and from the first day of December, 1940."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council re-establishing Naval College of Canada

P.C. 27/9600

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 10th December, 1941.

The Board recommend that authority be granted for the re-establishment of the Naval College of Canada in accordance with the following regulations:—

REGULATIONS FOR THE RE-ESTABLISHMENT OF THE NAVAL COLLEGE OF CANADA, UNDER SECTION 29 OF THE NAVAL SERVICE ACT

The Naval College of Canada shall be and is hereby re-established, to open for the instruction of cadets in the fall of the year 1942.

2. The institution shall be known as the Royal Canadian Naval College.

3. The college shall be situated at or near Esquimalt, B.C., in such grounds and buildings as may be selected by the Minister of National Defence for Naval Services, subject to such approval for financial expenditure as may be required.

4. The Minister of National Defence for Naval Services shall be the President of the College. The College shall be administered by a Board of Governors, hereafter known as "The Board", consisting of The Minister (Chairman), the Director of the Naval Service, the Director of Naval Personnel or Officer carrying out those duties, the Commanding Officer of the College and the Director of Education or senior professor or instructor at the College.

5. The College shall be commanded by a Naval Officer and administered as a Naval Establishment, Naval personnel being borne on the books of a ship for discipline, or considered as if they were so borne. The necessary complement of Naval Officers and ratings shall be as laid down by the Minister.

6. The number of Cadets under instruction at any one time shall not exceed 100.

7. The age, educational qualifications, physical standards, and other conditions of entry shall be as determined by the Board.

8. The length of the course shall be one, two or three complete years as determined by the Board to meet conditions prevailing at various times.

9. A Cadet while under training at the College shall be subject to Naval Law and Discipline, as set forth by the relevant Acts and Regulations and in accordance with the Custom of the Service, but such Cadet shall not be a member of the Naval Forces of Canada. A Cadet shall not receive any pay from the Government while under training at the College.

10. Entry into the Royal Canadian Navy will be open annually to such number of Cadets completing the course as may be determined by the Minister of National Defence for Naval Services.

Cadets who do not enter the Royal Canadian Navy shall be under an obligation to accept a commission in the Royal Canadian Naval Reserve, or in the Royal Canadian Naval Volunteer Reserve if required by the Minister of National Defence for Naval Services to do so.

11. Any candidate who is married shall not be accepted for entry and any cadet who marries while a member of the college shall *ipso facto* be discharged as from that date without claim to any return of fees, etc., but without prejudice to the right of the Crown to recover any monies due.

12. A Cadet may be discharged at any time at the discretion of the Board for misconduct, for inadequate progress, or if he appears unlikely to develop into a satisfactory Naval Officer by reason of constitution, temperament, ability or for any other reason which in the opinion of the Board makes his retention undesirable. The parents or guardian of any cadet so discharged shall be required to arrange for his removal without delay and shall not be entitled to any return of fees or compensation for expenses involved.

13. The following payments shall be made by parents or guardians on behalf of a cadet:

(a) An annual fee of \$100 to be paid, in respect of the first year, on or before the day of entrance, and in respect of subsequent years, on or before the 1st August.

(b) The following payments to cover the cost of board, uniform, books, laundry, pocket money and sundry expenses.

1st year—\$450 which may be paid in two instalments, viz., \$350 on or before the day of entrance and \$100 on the 1st January following.

2nd year—\$200 which may be paid in two instalments, viz., \$100 on or before the 1st of August and \$100 on or before the 1st of January.

(c) An annual subscription of \$20 to the College Recreation Club to be paid to the Captain, Royal Canadian Naval College, on or before the 1st October each year. This sum covers all expenses for sports and recreation.

14. An allowance for travelling expenses at the rate of 4 cents a mile for the number of miles in excess of 500 necessarily travelled between the Railway station nearest to the place in Canada in which the cadet resides and the College, at the time he is first admitted, will be paid to his parent or guardian if such cadet completes one full term at the College, or, if he does not complete one full term, is discharged otherwise than at the request of his parent or guardian or for misconduct. There will also be paid to

the parent or guardian of each cadet who completes the full period of the College course a similar allowance, computed on the distance beyond 500 miles between the College and the railway station nearest to his then place of residence, but the total amount of such last-mentioned allowance shall not exceed that previously paid.

15. There shall be offered each year a number of Cadetships, not exceeding 5, to be known as Dominion Cadetships. Students to whom these are awarded will be provided with tuition, board, recreation fee, uniform and full travelling expenses by the Government for the period of the course.

To be eligible for a Dominion Cadetship, a candidate must satisfy the physical and educational requirements for entry and must be either

- (1) the son of a Commissioned Officer, Warrant Officer, or man of the R.C.N., R.C.N.R., R.C.N.V.R., or of an Officer or man of the Canadian Mercantile Marine who was killed, died, or is severely incapacitated as a result of service during hostilities, or
- (2) the son of a Commissioned or Warrant Officer, on the retired list, or the son of a rating of the R.C.N., with not less than 15 years' service, who is still serving or who has been honourably discharged.

The selection of candidates for Dominion Cadetships will be made by the Board. Candidates will, other things being equal, rank for selection in the order (1) and (2) above, but considerable weight will be given to personal suitability and financial circumstances.

16. Cadets shall be given free of charge such medical or dental treatment as can be provided by the Medical Officer of the College or in any sick quarters or hospital or dental clinic established in connection with the College. Parents or guardians will be required to undertake responsibility for any more extensive medical or dental care which may be required, including any transportation involved and this provision applies to Dominion Cadets.

17. (a) The Minister may authorize a funeral at the public expense for any cadet who, during the period of his pupilage, dies as a result of any injury, disease or illness arising from a cause incidental to his service as a cadet.
(b) When such a funeral is authorized the provisions of Article 384, Regulations and Instructions of the Royal Canadian Navy, 1940 (Amendment No. 28), in so far as they relate to officers shall apply.

18. The Minister of National Defence for Naval Services is hereby authorized to issue, or order the issue of, such instructions as are from time to time required to give effect to the foregoing, and for anything required to be done in connection with the organization, administration and management of the College, not inconsistent with any regulations made or issued by the Governor in Council.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending the Defence of Canada Regulations—
Section 40—general control of shipping**

Canada Gazette (Extra), 17th December, 1941

P.C. 9661 .

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 10th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas paragraph (1) of Regulation 40, Defence of Canada Regulations (Consolidation) 1941, provides as follows:

“Every vessel within the ports of Canada or Canadian waters, as defined in the Customs Act, shall comply with such orders as to the navigation and mooring of vessels as may be issued by, or on behalf of, the Minister of National Defence, and shall obey any orders given, whether by signal or otherwise, by any officer in command of any of His Majesty’s Canadian ships or of any other of His Majesty’s ships or any naval, military or air force officer engaged in the defence of the coasts of Canada.”

And whereas the Minister of National Defence for Naval Services reports that instances have occurred where orders which have been issued under the said Regulation have been disregarded by those to whom the said orders were intended to relate, but difficulty has been experienced in prosecuting those who offended against said orders due to the impracticability of proffering legal proof of the issuance of said orders;

That, for the reasons aforesaid, for the safety of the State and the efficient prosecution of the war, it is desirable that more stringent measures be taken with respect to regulating the entry of vessels to the ports of Canada, particularly the defended ports, and with respect to their compliance with orders regulating their movement, navigation, pilotage, anchorage, mooring, berthing, lighting and related matters;

That, for the foregoing purposes, appropriate authorities should be empowered to issue the requisite orders and regulations; and

That provision be made whereby the fact that said regulations had been issued can, as a matter of law, be established together with legal proof thereof.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Defence for Naval Services, concurred in by the Acting Minister of Justice, and under and by virtue of the provisions of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to amend and doth hereby amend The Defence of Canada Regulations (Consolidation) 1941, made by Order in Council P.C. 5295, of July 15th, 1941, by revoking Regulation 40 thereof and substituting the following therefor,—

“40. (1) Every vessel within the ports of Canada or Canadian waters, as defined in the Customs Act, shall comply with such orders regulating the movement, navigation, pilotage, anchorage, mooring, berthing, lighting and related matters with respect to the vessel as may be issued by or on behalf of the Minister of National Defence or the Minister of National Defence for Naval Services and shall obey any orders incidental to such matters issued

by the Naval Officer in charge of the Port or the Naval Officer charged with the administration of the Port and shall obey any order given, whether by signal or otherwise, by any officer in Command of any of His Majesty's Canadian ships or any other of His Majesty's ships or any Naval, Military or Air Force officer engaged in the defence of the coasts of Canada.

(2) Every vessel of Canadian registry or licence wheresoever it may be shall comply with such orders regulating the movement, navigation, pilotage, anchorage, mooring, berthing, lighting and related matters as may be issued by or on behalf of the Minister of National Defence or the Minister of National Defence for Naval Services, and shall obey any orders incidental to such matters given, whether by way of signal or otherwise, by any officer in command of any of His Majesty's Canadian ships or of any other of His Majesty's ships, or by any Naval, Military or Air Force officer, engaged in the defence of the coasts of Canada.

(3) If the master or other person in command or charge of such vessel fails to comply with or to obey any order issued or given under this Regulation, he shall be guilty of an offence against this Regulation.

(4) Any person acting on behalf of His Majesty may, in relation to any vessel, use such force as may appear to that person to be reasonably necessary for securing compliance with any order under this Regulation relating to the vessel.

(5) (a) Proof of the issuance of any order made by or on behalf of the Minister of National Defence or the Minister of National Defence for Naval Services under this Regulation may be made:

- (i) by the production of a copy thereof duly certified under the hand of the Minister of National Defence or the Minister of National Defence for Naval Services; or
- (ii) by the production of a copy of the *Canada Gazette* in which such order has been published.

(b) Proof of the issuance of any order made by the naval officer in charge of a port or the naval officer charged with the administration of a port under this Regulation may be made:

- (i) by the production of a copy of the order duly certified by the said naval officer as being an order made by him; or
- (ii) by production of a copy of the *Royal Gazette* of the particular Province in which such order has been published; or
- (iii) by the production of a copy of a weekly or daily newspaper published in or in the vicinity of the place where such port is located, having a circulation in such place, in which such order has been published.

(6) The preceding provisions of this Regulation shall apply in relation to water borne aircraft on the surface of the water as those provisions apply in relation to vessels, and water borne aircraft taking off from or alighting on the water shall be deemed, for the purpose of this Regulation, to be on the surface of the water while in contact therewith."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council authorizing re-registration of persons of Japanese race

Canada Gazette (Extra), 17th December, 1941

P.C. 9760

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 16th day of December, 1941.

PRESENT:

HIS EXCELLENCY
THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Justice reports,—That a Special Committee on Orientals in British Columbia, which was appointed on October 1, 1940, to investigate the position of persons of Japanese and Chinese racial origin, who are resident in British Columbia, and to report upon the problem of Japanese and Chinese in that province from the point of view of national security, with particular reference to the question of military training, made a report on December 2, 1940, recommending *inter alia* that, both for purposes of civil security and in order to deprive persons hostile to the Japanese, of a constant and effective ground for complaint, there should be a re-registration of the Japanese population in British Columbia;

That the Cabinet War Committee considered and approved such recommendation and by Order in Council P.C. 117, dated January 7, 1941, a standing committee was appointed to assist the Government by overseeing the execution of such recommendations of the Special Committee as the Government might from time to time refer to it for action;

That the Commissioner of the Royal Canadian Mounted Police was asked to supervise such re-registration;

That such re-registration has been substantially completed by the Royal Canadian Mounted Police with the voluntary co-operation of most persons of the Japanese race in British Columbia who have completed the form contained in Schedule A hereto and have received a certificate of registration in the form contained in Schedule B hereto;

That, on instructions from the Cabinet War Committee, such re-registration has been extended to all persons of the Japanese race in Canada;

That, in view of the existence of a state of war between Canada and Japan, it is considered advisable that such re-registration, as extended to all persons of the Japanese race in Canada, be made compulsory.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and doth hereby order as follows,—

1. (1) Every person of the Japanese race who resides in Canada, who has attained his sixteenth birthday on or before a day to be fixed by the Commissioner of the Royal Canadian Mounted Police, and who has not heretofore registered with the Royal Canadian Mounted Police by completing the form contained in Schedule A to this order shall so register on or before the day fixed pursuant to this section and the Royal Canadian Mounted Police shall issue to each person so registering a Certificate of Registration in the form contained in Schedule B to this order.

(2) The Commissioner of the Royal Canadian Mounted Police shall publish in the *Canada Gazette* a notice of the day which he fixes pursuant to subsection (1) of this section at least two weeks prior to such day.

(3) Every person of the Japanese race who—

(a) attains his sixteenth birthday after the day fixed pursuant to subsection (1) of this section or

(b) owing to absence from Canada on or prior to the said date has not so registered

shall within thirty days from his sixteenth birthday or from his entry or re-entry into Canada, as the case may be, register in the manner prescribed in subsection (1) of this section.

(4) Every person who fails to register as required by subsection (1) or subsection (3) of this section on or before the day fixed under subsection (1) of this section shall nevertheless so register after such day but such subsequent registration shall not relieve such person from any penalty incurred by reason of such failure to register as aforesaid.

2. (1) Any person who fails to register as hereinbefore required shall be guilty of an offence and shall be liable on summary conviction or on indictment to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment and to a further penalty not exceeding ten dollars for each day after the day fixed under section 1 of this order during which he continues to be unregistered.

(2) The burden of proving registration under this order shall lie upon the person who alleges it and any person to whom a registration certificate has not been issued shall be deemed to have failed to register.

3. (1) Every person to whom such a registration certificate has been issued either before or after the passing of this order shall at all times carry it upon his person and shall produce it for inspection upon reasonable demand to any peace officer, police officer or constable or to any other person designated for the purpose by the Attorney General of any province, and in particular, without limiting the generality of this section, any such peace officer, police officer or constable or other person may, at any time after the day fixed under section 1 of this order, require any person of the Japanese race who has attained his sixteenth birthday, present or attending at any public assembly, place of public resort or entertainment, ticket or telegraph office, or post office, or being in or upon any car, train or steam-boat, to produce such registration certificate upon that occasion; and if any such person so required fails without reasonable excuse, to produce such registration certificate, he shall be guilty of an offence and liable to a fine not exceeding twenty dollars, and may be detained and taken immediately before a justice of the peace to be dealt with according to law.

(2) Any peace officer, police officer or constable or any other person designated for the purpose by the Attorney General of any province may accost any person of the Japanese race who has attained his sixteenth birthday at any time after the day fixed under section 1 of this order and question him as to whether or not he has registered pursuant to the provisions of this order; and any person so accosted shall answer truthfully all relevant questions put to him concerning such registration, and if he answers untruthfully or evasively, or if the officer questioning such person shall have reasonable ground to believe that his answers are untruthful or evasive, such officer may detain such person and take him before a justice of the peace to be dealt with according to law.

4. If any person upon his registration under this order refuses to answer any question on his registration form, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding one hundred dollars.

5. If any person upon his registration under this order wilfully gives a false or misleading answer to any question on his registration form, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.

6. If any person having registered with the Royal Canadian Mounted Police in the form contained in Schedule A to this order, so registers again either under the same name or a different name, he shall be guilty of an offence and liable upon summary conviction to a fine not exceeding two hundred dollars and not less than fifty dollars, or to imprisonment for a term not less than three months, or to both such fine and such imprisonment.

7. Every person who falsely represents himself to be a person who has received a registration certificate in the form contained in Schedule B to this order from the Royal Canadian Mounted Police, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding two hundred dollars, and not less than fifty dollars, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

8. Every person who without lawful reason or excuse, the proof of which shall lie upon him, has in his possession

- (a) a registration certificate in the form contained in Schedule B to this order or a document purporting to be such a registration certificate, which registration certificate was not lawfully received by him from the Royal Canadian Mounted Police; or
- (b) a blank form of such a registration certificate or printed paper purporting to be such blank form

shall be guilty of an offence and liable upon summary conviction to imprisonment for any term not exceeding three years and not less than six months.

9. Every person who without lawful authority or excuse, the proof of which shall lie upon him, prints or makes a registration certificate in the form contained in Schedule B to this order or any printed paper purporting to be a blank form of such a registration certificate, shall be guilty of an offence and liable upon summary conviction or upon indictment to imprisonment for any term not exceeding three years and not less than six months.

10. Every person who—

- (a) sells or offers to sell any registration certificate in the form contained in Schedule B to this order, any document purporting to be such a registration certificate, any blank form of such registration certificate, or any printed paper purporting to be a blank form of such a registration certificate, or
- (b) without lawful reason or excuse, the proof of which shall lie upon him, parts with the possession of any such registration certificate, any document purporting to be such a registration certificate, any blank form of such registration certificate, or any printed paper purporting to be a blank form of such a registration certificate,

shall be guilty of an offence and liable upon summary conviction to imprisonment for any term not exceeding three years and not less than six months.

11. Every person who counsels or advises any other person to refuse or omit to comply with any of the provisions of this order shall be guilty of an offence and liable upon summary conviction to a fine not exceeding two hundred dollars, or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

12. Every person registered with the Royal Canadian Mounted Police on the form contained in Schedule A to this order shall answer truthfully in writing, any question which may be submitted to him in print or in writing by or under the direction of the Commissioner of the Royal Canadian Mounted Police touching the answers upon his registration form, or requiring any information concerning any of the matters therein mentioned or referred to, and shall return his answers to any such question to the Commissioner of the Royal Canadian Mounted Police, or to any other officer as may be required, either personally or by registered post, within ten days after the day when he shall have received the questionnaire; and every such person who refuses, fails or neglects without lawful excuse, to return his answers to such questions within the time aforesaid shall be guilty of an offence, and liable upon summary conviction to a fine not exceeding fifty dollars.

13. Any person registered with the Royal Canadian Mounted Police on the form contained in Schedule A to this order who, after such registration, has married or marries or has changed or changes his or her place of residence shall, within fourteen days of the date of this order or of such marriage or change of address, notify the Commissioner of the Royal Canadian Mounted Police at Ottawa of the date of his or her marriage, and of the name and place of residence of the person whom he married, or of the place of residence and post office address to which he has removed, as the case may be, and any such person who fails, without lawful excuse, to comply with the provisions of this section, shall be guilty of an offence and liable upon summary conviction to a fine not exceeding fifty dollars.

14. In this order the expression "person of the Japanese race" shall include a person not wholly of the Japanese race if his father or mother is of the Japanese race and if the Commissioner of the Royal Canadian Mounted Police, by notice in writing, requires him to register.

15. No prosecution under this order shall be commenced without the leave of the Attorney General of Canada or of the province in which the offence is alleged to have been committed.

A. D. P. HEENEY,
Clerk of the Privy Council.

SCHEDULE A

Serial No.

REGISTRATION OF ORIENTALS UNDER

O.C. P.C. 117 by R.C.M. POLICE

Name.....	Status
Address.....	Single or Married.....
Place of Birth.....	Date of Birth.....
Sex..... Age.....	Height..... Weight.....
Hair	Eyes..... Comp.....

Special Marks of Identification:

Date of entry to Canada.....	
------------------------------	--

Port of Entry.....	Ex. S.S.
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Father's Name.....	Father's Serial No.....
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Mother's Name.....	Mother's Serial No.....
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Name of Husband (Wife).....	Serial No. of Husband (Wife).....
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Occupation	
------------------	--

Number and type of Fishing Licence (if any).....	
--	--

Property owned (Registration No. of Boat, if any).....	
--	--

Address of Wife (Husband).....	
--------------------------------	--

Number of Children Under 16 Years of Age.....	
---	--

Name..... Age.....	Address.....
--------------------	--------------

Number and Date of Birth and/or Naturalization Certificate.....	
---	--

Is Japanese Nationality claimed as well as Canadian Nationality?.....	
---	--

Is return to Japan contemplated?.....	
---------------------------------------	--

If so for what reason?.....	
-----------------------------	--

Thumb Print

Photo

Applicant's Signature

(REVERSE)

Police Record (if any)

Questionnaire completed by: (Signature)
Place.....
Date.....
Registration Card Issued (Yes) or (No),
If not why?

This space for any notation such as subsequent change of status, death, etc., etc.

SCHEDULE B

Serial No.....

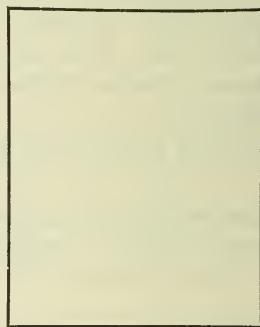
Name.....
Address.....
Age..... Height..... Weight.....

Thumb Print

Marks of Identification.....

Occupation

Signature

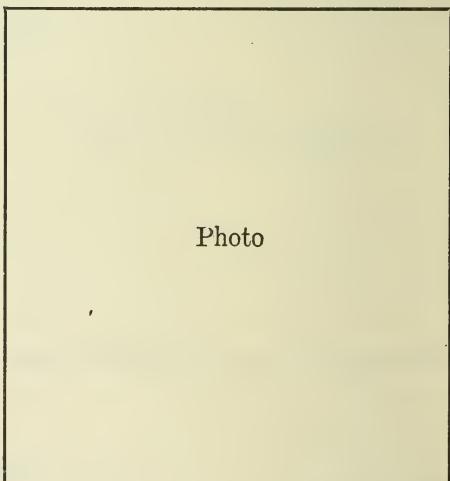


(REVERSE)

The Bearer, whose photograph and specimen of signature appear hereon,
has been duly registered in compliance with the provisions of Order in Council
P.C. 117.

Vancouver

(Date)



Photo

Issuing Officer.....

Inspector, R.C.M.P.

DEPARTMENT OF JUSTICE

The Commissioner of the Royal Canadian Mounted Police hereby directs for the information of all concerned that every person of the Japanese race who resides in Canada who has attained his sixteenth birthday on or before the 10th of January, 1942, and who has not heretofore registered with the Royal Canadian Mounted Police by completing the form set forth below in Schedule A shall so register on or before the 10th of January, 1942, with the Royal Canadian Mounted Police under the terms of Order in Council of the 16th of December, 1941, P.C. 9760.

It is further ordered that every person of the Japanese race who

(a) attains his sixteenth birthday after the 10th of January, 1942

or

(b) owing to absence from Canada on or prior to the 10th of January, 1942, has not so registered shall within thirty days from his sixteenth birthday or from his entry or re-entry into Canada, as the case may be, register in the manner prescribed above.

SCHEDEULE "A"

Serial No.....

REGISTRATION OF ORIENTALS UNDER O.C. P.C. 117 BY R.C.M. POLICE

Name.....	Status
Address.....	Single or Married.....
Place of Birth.....	Date of Birth.....
Sex..... Age..... Height.....	Weight
Hair..... Eyes.....	Comp.

Special Marks of Identification:

Date of entry to Canada.....	
Port of Entry.....	Ex. S.S.
Father's Name.....	Father's Serial No.....
Mother's Name.....	Mother's Serial No.....
Name of Husband (Wife).....	Serial No. of Husband (Wife).....
Occupation	
Number and type of Fishing Licence (if any).....	
Property owned (Registration No. of Boat, if any).....	
Address of Wife (Husband).....	
Number of Children Under 16 Years of Age.....	

Name.....	Age.....	Address.....
Number and Date of Birth and/or Naturalization Certificate.....		
Is Japanese Nationality claimed as well as Canadian Nationality?.....		
Is return to Japan contemplated?.....		
If so for what reason?.....		

Thumb Print

Photo

.....
Applicant's Signature

(REVERSE)

Police Record (if any)

Special Memo (to contain any information of interest not covered on front of sheet)

Questionnaire completed by: (Signature)
Place
Date
Registration Card Issued (Yes) or (No)
If not why?

This space for any notation such as subsequent change of status, death, etc., etc.

Order in Council prohibiting operation of any vessel in waters adjacent to West Coast by persons of Japanese race

P.C. 9761

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 16th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Justice reports that owing to the war with Japan it is considered desirable that provision should be made to control vessels used or operated by persons of the Japanese race.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Justice, concurred in by the Secretary of State for External Affairs and the Minister of National Defence for Naval Services, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to order and both hereby order as follows,—

“1. No person of the Japanese race shall use or operate any vessel within waters adjacent to the West coast of Canada without the authority in writing of the Commissioner of the Royal Canadian Mounted Police, or other officer designated by him for the purpose.

2. Where any person of the Japanese race uses or operates a vessel without the authority aforesaid, such vessel may be seized and detained on behalf of His Majesty by any officer of the Royal Canadian Navy, Royal Canadian Mounted Police, Provincial Police of British Columbia, or of the Department of Fisheries, and any such vessel shall be released from such seizure and detention at any time on the instructions of the Commissioner of the Royal Canadian Mounted Police or the Minister of Justice: Provided that any such seizure and detention shall be without prejudice to any proceedings under the Order respecting Prize enacted on the twenty-seventh day of September, 1939, as P.C. 2892: And provided further that any seizure made after the eighth day of December, 1941, and prior to the coming into force of this Order of any vessel on the ground that it has been used or operated by a person of the Japanese race shall, nevertheless, be deemed to have been duly made pursuant to this Order.

3. Every one who contravenes the provisions of this Order shall be guilty of an offence and shall be liable, on summary conviction, to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding twelve months, or to both such fine and such imprisonment.”

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prohibiting importation of articles of glass not plate or sheet designed to be cut

Canada Gazette, 27th December, 1941

P.C. 9792

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 16th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Finance reports that Canadian imports from countries outside the sterling area of articles of glass, not plate or sheet, designed to be cut, have increased abnormally; and

That in order to limit and control the importation of the said goods it is in the public interest to include them in Part Two of Schedule One to the War Exchange Conservation Act, 1940.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, the Governor in Council is pleased to order and doth hereby order that the following Item be inserted in Part Two of Schedule One to the War Exchange Conservation Act, 1940:

"ex 326e: Articles of glass, not plate or sheet, designed to be cut."

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council amending Consolidated Regulations respecting Trading with the Enemy—defining "enemy"

P.C. 9797

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 16th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Secretary of State, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the Consolidated Regulations Respecting Trading with the Enemy (1939) made and established by Order in Council of August 21st, 1940 (P.C. 3959), and amended by Order in Council of October 3rd, 1940 (P.C. 5353), and they are hereby further amended by adding to Regulation 1 (b), defining the word "enemy", the following additional paragraph:

- (vi) Any person who has been interned or detained under the authority of the Government of a Power allied or associated with His Majesty or whose property within the territory of such Power has been treated by that Power as enemy property;

His Excellency in Council, on the same recommendation is hereby further pleased to order and direct that this amendment shall be deemed to have been made and established as and from December 7th, 1941.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Defence of Canada Regulations—Regulation 35,
Section 11, control of lights**

Canada Gazette (Extra), 5th January, 1942

P.C. 9818

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 19th day of December, 1941.

PRESENT:

HIS EXCELLENCE

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Pensions and National Health and the Minister of Munitions and Supply report that in view of the increasing danger to the people of Canada of bombing and bombardment it is advisable to make certain restrictions, as hereinafter set forth, upon the display of lighting in areas exposed to enemy attack, to wit, those areas which have been organized for Air Raid Precautions under the provisions of Defence of Canada Regulations;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health and the Minister of Munitions and Supply, concurred in by the Minister of Justice, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is pleased to amend the Defence of Canada Regulations (Consolidation), 1941, made by Order in Council P.C. 5295, of July 15th, 1941, and they are hereby amended by adding the following section to Regulation 35:

11. Notwithstanding any other provisions of these Regulations,

(a) No street lights or lights outside of a building, excepting those operated for street lighting purposes only, shall be displayed in any area specified in any order made under the provisions of subsection 1 (a) hereof for prohibiting or regulating the display of lights, during the hours between sundown and sunrise, and for greater certainty, but not so as to restrict the generality of this prohibition, the same shall apply to advertising and display signs of any description whatsoever, whether Neon signs or not, and all individual lights on or in front of residences or business houses whether for lighting purposes or otherwise.

- (b) No lights shall be displayed in business premises excepting during business hours when not prohibited under any other provision of these Regulations and whilst staff is present on the premises to blacken out the same should an Air Raid Alarm occur.
- (c) The restrictions imposed by subsections (a) or (b) hereof may, at any time, in whole or in part, be removed either temporarily or permanently by Order of the Minister of Pensions concurred in by the Minister of Munitions and Supply.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council exempting stenographers and typists from provisions of
P.C. 6/1248, Feb. 19, 1941—Dependents' or Marriage Allowance**

P.C. 95/9823

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
17th December, 1941.*

The Board recommend that Stenographers and Typists, Grade 1, Grade 1A, Grade 2, and any other Stenographers and Typists with equivalent salary rates, be exempted from the provisions of the undermentioned Orders in Council:—

- (a) P.C. 6/1248 of February 19th, 1941, which provides for discontinuance of Dependents' or Marriage Allowance if the recipient is assigned to the Public Service.
- (b) P.C. 21/7609 of December 24th, 1940, which provides that superannuation allowances and pensions granted to widows under the provisions of the Civil Service Superannuation Acts, the Royal Canadian Mounted Police Act, and the Militia Pension Act, who are assigned to positions in the Public Service, be discontinued and stand as deferred benefits for the period of their employment.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council establishing Commodity Prices Stabilization Corporation

P.C. 9870

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 17th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 8527, of November 1st, 1941, the Maximum Prices Regulations were made and established prescribing the maximum prices at which any goods or services may be sold or supplied in Canada;

And whereas the Minister of Finance reports that he has received representations from the Wartime Prices and Trade Board to the effect that the administration and enforcement of such Regulations is affected by prices prevailing in foreign markets; and

That it is deemed to be expedient and in the national interest that a Commodity Prices Stabilization Corporation be formed with the powers herein-after set forth.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Finance and under and by virtue of the powers conferred on the Governor in Council by the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, and otherwise, is pleased to order and doth hereby order as follows:—

1. The Minister of Finance is hereby authorized to cause the incorporation and organization of a private company under the Companies Act, to be wholly owned by His Majesty in right of the Dominion of Canada, to be known as Commodity Prices Stabilization Corporation, with an authorized capital of one thousand shares without nominal or par value, with the intent and for the purpose of facilitating, under the direction of the Wartime Prices and Trade Board, the control of prices of goods, wares and merchandise in Canada, and with such powers, in addition to those conferred by the Companies Act, as may be set forth in the Letters Patent.

2. The Wartime Prices and Trade Board is hereby authorized from time to time to delegate to the said Company such of the powers of the said Board, as are now or may hereafter be conferred upon it, as the said Board may deem advisable.

3. The Minister of Finance is hereby authorized to execute and deliver an agreement between His Majesty and the said Company in the terms of the draft thereof hereto annexed, subject to such changes therein as he may deem proper, and to agree to any amendment to such agreement as he may from time to time deem proper.

4. The Auditor General of Canada shall be the Auditor of the Company and the Minister of Finance may arrange with him for such certificates as may be deemed desirable and practicable.

5. (1) From the moneys appropriated by Parliament under the War Appropriation Act, 1941, there shall be allotted and paid over to the Company as an accountable advance or advances in such amounts and at such times as the Minister of Finance may determine the sum of ten million dollars (\$10,000,000) for the purpose of paying the administrative and other expenses of the Corporation and of paying such sum or sums by way of subvention, subsidy, bonus or otherwise to any person, firm or corporation in accordance with the terms of the aforesaid agreement between His Majesty and the said Company.

(2) From the moneys provided by Parliament under the War Appropriation Act, 1941, there may be allotted and paid over to the Company as an accountable advance or advances such further sums as the Treasury Board may determine for the purpose of carrying out the corporate purposes of the Company.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

This Agreement made the

day of

, 1941.

BETWEEN

His Majesty the King in right of Canada (hereinafter called "His Majesty") herein acting and represented by the Honourable the Minister of Finance (hereinafter called "the Minister")

of the One Part,

and

Commodity Prices Stabilization Corporation, a company incorporated under the laws of the Dominion of Canada (hereinafter called "the Company")

of the Other Part,

Witnesseth that it is agreed between the Minister and the Company as follows:

1. The Company is hereby authorized to perform such duties and to enter into such transactions as the Minister or the Wartime Prices and Trade Board may from time to time delegate to it or authorize or direct it to perform, including, without in any way limiting the foregoing, the purchase or other acquisition, exchange, sale or other disposition of, storage, transportation and processing of goods, wares or merchandise.

2. The Company is hereby authorized, in the discharge of such duties and responsibilities as may from time to time be delegated or committed to it under the provisions of paragraph 1 hereof, to pay such sum or sums by way of subvention, subsidy, bonus or otherwise, to any person, firm or corporation as may be deemed advisable in accordance with principles formulated from time to time by the Wartime Prices and Trade Board and approved by the Minister.

3. The Company is hereby authorized to carry on its duties and responsibilities through means of branch offices or through the incorporation and organization of subsidiary companies provided that in the case of subsidiary companies the whole of the issued capital stock thereof (less directors' qualifying shares) shall be owned by the Company.

4. The Minister agrees to pay to the Company as an accountable advance or advances, in such amounts and at such times as he may determine the sum of ten million dollars (\$10,000,000) and such further sums as may be allotted by the Treasury Board and as he may approve for the reasonable and proper administrative and other expenses of the Company, for the payment of subventions, subsidies, bonuses or otherwise in accordance with the terms of paragraph 2 hereof, and for carrying out the other corporate purposes of the Company. Requisitions for such payments shall be made to the Minister from time to time by the Company over the signature of its Treasurer or Assistant Treasurer and of such other of its officers as may be designated by the by-laws or by resolution of the Company, accompanied by such information as the Minister may require.

5. The Company agrees to keep proper accounts and records of its affairs and operations, together with the invoices, receipts, vouchers and statements in connection therewith. The Company shall make reports to the Minister as and when so required by the Minister. The Company also agrees that after the close of each calendar month it will render to the Minister a statement of the Company's affairs and operations for such calendar month, certified as correct by the Treasurer or Assistant Treasurer of the Company and by such other of its officers as may be designated by

the by-laws or by resolution of the Company. The Company also agrees that as soon as practicable after the close of each fiscal year it will render to the Minister a statement of the Company's affairs and operations for such calendar year, certified as correct by the Treasurer or Assistant Treasurer of the Company and by such other of its officers as may be designated by the by-laws or by resolution of the Company.

6. The Company agrees that it will at all times keep the Minister advised of the names of all persons having authority to sign or endorse cheques or other negotiable instruments on behalf of the Company and will furnish the Minister with such information regarding any or all such persons as the Minister may request from time to time, and the Company further agrees that, from time to time, it will obtain and keep in force fidelity bonds issued by such company or companies and for such amounts and in respect of such of the said persons as the Company may deem advisable in respect of such persons and will, if requested, furnish the Minister with evidence that the premiums on such bonds have been duly paid and deliver any or all of such fidelity bonds to the Minister.

7. The Company agrees that it will keep the Minister advised of the principles it is following in carrying out the powers delegated or committed to it for the purchase or other acquisition, exchange, sale or other disposition of, storage, transportation and processing of goods, wares or merchandise, and that it will refrain from doing all such things as the Minister may in writing from time to time direct.

8. The Company agrees that it will not carry on any operations other than those necessary or incidental to the carrying out of this agreement without the express consent in writing of the Minister.

9. This agreement may be amended or supplemented in such respects and by such alterations, additions or deletions as the Minister shall approve, and shall remain in force until terminated by the Minister by written notice of termination delivered to the Company.

In witness whereof the parties hereto have executed this agreement in triplicate as of the date first hereinbefore written.

SIGNED, SEALED AND DELIVERED
by the Company in the
presence of

SIGNED, SEALED AND DELIVERED
by the Minister in the
presence of

COMMODITY PRICES STABILIZATION
CORPORATION
by *President.*
and by
..... *Minister of Finance.*

Order in Council authorizing specialized training for aircraft manufacture

P.C. 9871

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 23rd day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Labour reports:—

1. That experience of the Department of Labour in administering the War Emergency Training Programme to date has made evident the expediency of giving specialized training to certain selected or key employees engaged in the war industries of the country;

2. That the Director General of Aircraft Production for Canada has received requests that as a part of the aforesaid Training Programme the Dominion do grant some measure of assistance to such of the Canadian manufacturers of aircraft and aircraft parts and to such concerns who overhaul and recondition combat and training aeroplanes as are engaged from time to time on government war contracts, in providing specialized training for approved and selected key employees engaged with said manufacturers and concerns;

3. That the specialized training referred to in paragraph 2 above is not wholly available in Canada;

And whereas the Minister further reports that he deems it expedient that the aforementioned requests be granted.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is hereby pleased to authorize the Department of Labour to enter into arrangements on behalf of the Dominion with such of the Canadian Manufacturers of aircraft and aircraft parts and with such concerns who overhaul and recondition combat and training aeroplanes as were or may be engaged from time to time during the fiscal year ending March 31, 1942, on government war contracts and who have provided or do provide specialized training for their employees engaged on said work, to reimburse said manufacturers and concerns for a part of the expenditure so incurred, provided (1) that the Director General of Aircraft Production of Canada shall recommend in writing any arrangement so made, including the nature of the instruction provided or to be provided and the portion of the cost thereof which should be reimbursed by the Dominion; (2) that if any arrangement entered into involved the sending of trainees out of Canada for instruction the Dominion shall reimburse not more than the cost incurred for their tuition and for their board and lodging while engaged on the course of instruction.

His Excellency, on the same recommendation, is hereby further pleased to order that the administration of any training provided as aforesaid be co-ordinated with the War Emergency Training Programme authorized by Order in Council dated September 11, 1940 (P.C. 4506) and that an amount of \$50,000 be added to the War Estimates 1941-42 of the Department of Labour from the War Appropriation 1941-42 for the purpose of making reimbursements for such part or parts of the aforesaid costs as are incurred in the fiscal year ending March 31, 1942, and authorized as aforesaid.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

**Order in Council suspending special or dumping duties except as regards
fresh fruit and vegetables**

P.C. 9888

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 19th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of National Revenue reports that it has been represented by the Wartime Prices and Trade Board that the imposition generally of special or dumping duties, as provided under Section 6 of the Customs Tariff, is inconsistent with the program of controlling domestic prices now being executed by the said Board and prejudicial to the attainment of the objectives of the said Board.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Revenue, concurred in by the Minister of Finance and the Minister of Trade and Commerce, in accordance with the advice of the Wartime Prices and Trade Board, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to order and doth hereby order that the imposition of special or dumping duties, as provided for under Section 6 of the Customs Tariff, be suspended for the time being, except in respect of importations of fresh fruit and vegetables.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council ordering export selling prices, basis for valuation for
duty purposes**

P.C. 9889

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 19th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of National Revenue reports that it has been represented by the Wartime Prices and Trade Board that in a number of cases the assessment of customs duties on the basis of fair market value as sold for home consumption rather than on the basis of actual invoice values based on exporters selling prices, deters Canadian importers from seeking adjustments in prices on imported goods;

That by Order in Council P.C. 75/2980, dated April 30th, 1941, authority was granted for the acceptance of export selling prices as the basis of valuation for duty purposes of goods the produce or manufacture of the United Kingdom, and that under present war conditions it is desirable in certain cases to apply the same principle with respect to imports from other countries.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of National Revenue, concurred in by the Minister of Finance and the Minister of Trade and Commerce, and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased, hereby, to authorize the Minister of National Revenue to accept export selling prices as the basis for valuation for duty purposes in respect of goods the produce or manufacture of countries other than the United Kingdom in cases where such action is recommended by the Wartime Prices and Trade Board with the concurrence of the Minister of Finance.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Defence of Canada Regulation 33 — damage to premises, etc.

Canada Gazette (Extra), 6th January, 1941

P.C. 9895

AT THE GOVERNMENT HOUSE AT OTTAWA

FRIDAY, the 26th day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas regulation 33 of the Defence of Canada Regulations (Consolidation) 1941, provides for order to be made by the Minister of National Defence or the Minister of Pensions and National Health with respect to precautions against hostile attack;

And whereas it is considered that the primary authority for this purpose should be vested in the Minister of Pensions and National Health subject, in the case of any order which may affect or relate to the Naval, Military or Air Services, to the concurrence of the Minister of National Defence, the Minister of National Defence for Naval Services or the Minister of National Defence for Air as the case may be;

And whereas it is considered desirable that the Minister of Pensions and National Health should have authority to authorize any person to act under this regulation to the extent that the Minister of Pensions and National Health may indicate in such authorization;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health (concurred in by the Minister of Justice) and under and by virtue of the provisions of the War Measures Act, chapter 206 of the Revised Statutes of Canada, 1927, is

pleased to amend the Defence of Canada Regulations (Consolidation), 1941, P.C. 5295, 15th July, 1941) and they are hereby amended by revoking regulation 33 thereof and substituting therefor the following:—

“33. (1) The Minister of Pensions and National Health or any person authorized by him to act under this regulation and to the extent so authorized, may by order prescribe the steps which are to be taken by persons in Canada to protect themselves against the dangers involved in an attack by the enemy, and any such order may provide that, upon the giving of any such notice or signal as may be specified in the order, any persons or classes of persons may, in such circumstances and subject to such conditions (if any) as may be specified in the order, enter and remain in any such premises or parts of premises as may be designated in such manner, and by such authority or person, as may be so specified.

(2) No person shall

- (a) wilfully obstruct any person entering or seeking to enter any premises or part of any premises in accordance with an order made under paragraph one of this regulation;
- (b) eject from any premises or part of any premises any person who is entitled to be therein by virtue of such an order.

(3) The said Minister, or any person authorized by him as aforesaid, may by order prohibit or restrict, or empower a senior police officer to prohibit or restrict, assemblies of persons in any area in Canada, either generally or for particular purposes, in so far as such prohibition or restriction appears to the Minister or such person authorized by him as aforesaid to be necessary in order to minimize the risk of loss of life or personal injuries being caused in that area in consequence of any attack by the enemy; and any constable may take such steps, and use such force, as may be reasonably necessary to secure compliance with any order under this paragraph.

(4) Notwithstanding anything to the contrary contained in this regulation any order made by the said Minister or any person authorized by him as aforesaid, which may affect or in any way relate to the Naval, Military or Air Services shall only be made with the concurrence of the Minister of National Defence, the Minister of National Defence for Naval Services, or the Minister of National Defence for Air as the case may be.”

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Wartime Wages and Cost of Living Bonus Order — Deputy Minister of Labour may act as chairman of National War Labour Board

P.C. 9926

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 31st day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 9922, 19th December, 1941, the Honourable Humphrey Mitchell, Minister of Labour, was appointed Chairman of the National War Labour Board;

And whereas the Minister of Labour desires that provision should be made for the appointment of a Vice-Chairman of the said Board during any period in which the said Minister, owing to the pressure of other duties, is unable to act as Chairman;

Therefore His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and under and by virtue of the powers conferred by the War Measures Act, Chapter 206, R.S.C. 1927, is pleased to amend the Wartime Wages and Cost of Living Bonus Order (Order in Council P.C. 8253, dated October 24, 1941) and it is hereby amended by adding thereto the following as subsection (2A) of section 3 thereof:—

"If the Chairman of the National War Labour Board is the Minister of Labour and if, at any time, he is unable to act as Chairman, the Deputy Minister of Labour or such other person as the Minister may designate may act as Chairman and may exercise all the powers and shall perform all the duties of the Chairman under this Order or under any by-laws made pursuant to this Order. Whenever the Deputy Minister or other person aforesaid has acted as Chairman, it shall be conclusively presumed that the Minister of Labour was unable to act as Chairman."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Canadian Shipping Board — H. R. MacMillan
named Transport Controller**

P.C. 9932

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 23rd day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, concurred in by the Minister of Munitions and Supply, is pleased to amend Order in Council, P.C. 4251, dated December 20th, 1939, which constituted The Canadian Shipping Board, and it is hereby amended by inserting in Regulation 2 (1) after the words "Transport Controller" the words "Mr. H. R. MacMillan, President of Wartime Merchant Shipping Limited".

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council prohibiting export of articles listed

Canada Gazette (Extra), 29th December, 1941

P.C. 9935

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 23rd day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

Whereas by Order in Council of 4th October, 1941, P.C. 7674, the exportation from Canada of certain articles deemed capable of being converted into or made useful in the production of arms, ammunition, or military, naval and air stores, is prohibited, except under permit issued by or on behalf of the Minister of Trade and Commerce;

And whereas it is considered desirable, in order to conserve supplies of essential commodities for Canadian and United Kingdom requirements, that the exportation of other articles be now prohibited;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, and under and by virtue of the powers conferred by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by The War Measures Act (Chapter 206, R.S.C. 1927), is pleased to order as follows:

1. The exportation of any of the commodities listed in Annex One hereto is hereby prohibited except under permit issued by or on behalf of the Minister of Trade and Commerce.

2. Schedule One of the said Order in Council (P.C. 7674) is hereby amended by the addition thereto of the articles enumerated in the said Annex One, and by making the changes set out in Annex Two hereto.

3. This Order shall come into force and have effect on and after the thirtieth day of December, 1941.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

NOTE: Annexes published in the *Canada Gazette*.

**Order in Council regulating dispositions of moneys from processing levy
on wheat**

P.C. 9936

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 23rd day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

Whereas the Minister of Trade and Commerce reports that he has received recommendations (in substance) from the Canadian Wheat Board to the following effect;

That it is necessary for purposes of administration that the method of disposition of moneys received by the Board from the Processing Levy during 1940-41 under Part II of the Canadian Wheat Board Act and Order in Council P.C. No. 6156 of August 12th, 1941, should be determined; that these moneys and all expenditures of the Board in the administration of the Act relating to the Levy should be divided between the accounts and pools now and hitherto kept by the Board in respect of the Eastern and Western Divisions for the crop year 1940-41 of each Division on the basis of the proportionate bushelage of the wheat of those Divisions delivered to the Board in such crop year of each Division; that such revenues and expenditure so allocated shall be divided between the grade accounts of each Division for such crop year.

And whereas the Minister further reports that the Board states that this system of division accords with the established practice of the Board in respect of division of sales proceeds between different years and of overhead expenses yearly between Divisions and between grades therein; that in the opinion of the Board this is the most practical and the most equitable method of division of moneys from the Processing Levy and accords with the Act; that the following Regulations to effectuate that method in respect of the Processing Levy have been approved and recommended by the Board as appropriate and necessary to give effect to the intent and meaning of the Act and of pertinent Orders in Council; and that the Board recommends that regulations for such purpose be approved or made by the Governor in Council.

And whereas the Minister states that he has considered the recommendations of the Canadian Wheat Board, and that in his opinion the regulations set out below are measures required for the security, defence, peace, order and welfare of Canada and should be made as recommended and requested by the Board.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, and under and by virtue of the powers vested in the Governor in Council by the Canadian Wheat Board Act, the War Measures Act, Chapter 206, R.S.C., 1927, and otherwise, is pleased to approve the following regulations and they are hereby approved, made and established accordingly,—

REGULATIONS

1. Unless the context otherwise requires, in these regulations,
 - (a) "Act" shall mean the Canadian Wheat Board Act;
 - (b) "Division accounts" and "Grade accounts" shall mean the accounts kept by the Board for recording the operations of the Board in respect of the Eastern Division and of the Western Division, and in respect of wheat of each grade delivered to the Board in each Division, respectively; and
 - (c) Other words and expressions shall have the same meaning as in the Act.
2. All revenues received by the Board from the processing levy and all expenditures of the Board in the administration of the Act relating thereto shall be divided between the Division accounts in respect of the crop year 1940-41 of each Division in proportion to the total number of bushels of wheat delivered to the Board in each Division in such crop year.
3. Such revenues and such expenditures so allocated to the Division accounts shall be divided between the Grade accounts of the crop year 1940-41 of each Division in proportion to the total number of bushels of wheat of each grade delivered to the Board in that Division during such crop year.
4. Such revenues and such expenditures allocated to Division accounts and Grade accounts shall be included in such accounts for all purposes.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending regulations respecting motor vehicles

Canada Gazette (Extra), 14th February, 1942

P.C. 9973

AT THE GOVERNMENT HOUSE AT OTTAWA

TUESDAY, the 23rd day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas by Order in Council P.C. 1121 of February 13, 1941, as amended by Order in Council P.C. 6835 of August 29, 1941, the office of Motor Vehicle Controller was constituted and set up with the powers and duties of that office defined, and, JOHN HATTON BERRY, Esquire, of the City of Ottawa, in the Province of Ontario, was appointed Motor Vehicle Controller;

And whereas the Minister of Munitions and Supply reports that the Motor Vehicle Controller represents that in order to carry out fully and effectively the powers and duties conferred upon the Motor Vehicle Controller, it is necessary to constitute the office of Deputy Motor Vehicle Controller and to appoint a Deputy Motor Vehicle Controller and that ESLIE RUSSELL BIRCHARD, B.A., Sc., of Toronto, Ontario, is a fit and proper person for such appointment and should be appointed as a Deputy Motor Vehicle Controller;

And whereas the Minister is of the opinion that the proposed appointment is in the public interest.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply, and under the authority of the Department of Munitions and Supply Act and the War Measures Act, is pleased to amend the Regulations Respecting Motor Vehicles, made and established by the said Order in Council P.C. 1121, dated February 13, 1941, and they are hereby amended as follows:—

1. By adding the following paragraph (cc) immediately after paragraph (c) of section 1 of the said Regulations:

“(cc) ‘the Deputy Motor Vehicle Controller’ or ‘the Deputy Controller’ shall mean any person from time to time appointed a Deputy Motor Vehicle Controller by the Governor General in Council, and for the time being in office as such;”

2. By adding the following section 2A immediately after section 2 of the said Regulations;

“2A. The Deputy Motor Vehicle Controller shall have and exercise any and all powers conferred on the Motor Vehicle Controller subject to any restriction thereof which the Motor Vehicle Controller may from time to time impose and subject in all cases to review by the Motor Vehicle Controller, and the Deputy Motor Vehicle Controller shall enjoy in the exercise of his office any and all immunities now or hereafter enjoyed by the Motor Vehicle Controller.”

His Excellency in Council, on the same recommendation, is further pleased to appoint and doth hereby appoint ESLIE RUSSELL BIRCHARD, Esquire, B.A., Sc., of the City of Toronto, in the Province of Ontario, Deputy Motor Vehicle Controller.

(Sgd.) A. D. P. HEENEY,

Clerk of the Privy Council.

Order in Council authorizing training by Dept. of Labour, provisions
Post Discharge Re-establishment Order, P.C. 7633

P.C. 15/10066

*Certified to be a true copy of a Minute of a Meeting of the Treasury Board,
approved by His Excellency the Governor General in Council, on the
24th December, 1941.*

The Board have had under consideration a submission from the Honourable the Minister of Labour reporting:

1. That, in the Post Discharge Re-establishment Order, dated October 1, 1941 (P.C. 7633) it is stated, *inter alia*:

“That it is advisable that persons now in the said forces should know as soon as possible, and that persons who enlist in the future should know when they enlist, the further provision thereafter proposed for their orderly re-establishment in civil life on discharge in completion of the programme already established for that purpose, namely,

- (i) clothing allowance,
- (ii) transportation to place of enlistment or home,
- (iii) rehabilitation grant,
- (iv) remedial medical treatment,
- (v) vocational training facilities,
- (vi) reinstatement or preference in employment and placement and guidance services, and

(vii) pension for disabilities, with ancillary hospital treatment, in order that such persons may effectively plan for their re-establishment in advance of discharge;”

2. That for the purpose of allowing such of the aforesaid discharged persons as wish to avail themselves of the vocational training facilities provided pursuant thereto subsection (1) of section six of Part II of aforesaid P.C. 7633 authorizes that the Minister of Pensions and National Health may:

“order the payment of a grant to a discharged person at a rate not exceeding \$13 per week if he is a married person and \$9 per week if he is not a married person, if

- (i) such person is pursuing vocational, technical or other educational training;
- (ii) the Minister approves such training as being training which will fit him or keep him fit for employment or re-employment or will enable him to obtain better or more suitable employment, and
- (iii) he makes progress in such training to the satisfaction of the Minister.”

3. That the Minister of Pensions and National Health has requested the Department of Labour to undertake, with the co-operation of the provinces, the vocational training referred to in paragraph 2 above, for members of the forces discharged subsequent to July 1, 1941, other than certain special categories such as blind and amputation cases, said training to be along the lines now followed in the Youth Training and War Emergency Training Programmes, which request the Department of Labour is willing to grant.

The Board concur in the above report and recommend that the Department of Labour be authorized as follows:

- (a) To undertake, with the co-operation of the Provinces or any of them, the training referred to in paragraph 3 above.
- (b) To co-ordinate such training with the training now being provided under the Youth Training and War Emergency Training Programmes.
- (c) To charge expenditures incurred by the Department of Labour in providing the training referred to in paragraph 3 above to funds to be allotted from the War Appropriation for that purpose.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council recommending voluntary helpers, Red Cross and St. John Ambulance Association, eligible Government Employees Compensation Act

P.C. 39/10066

Certified to be a true copy of a Minute of a Meeting of the Treasury Board, approved by His Excellency the Governor General in Council, on the 24th December, 1941.

The Board had under consideration a memorandum from the Honourable the Minister of Pensions and National Health reporting:—

“That, under arrangements made by the Department of Pensions and National Health with the Canadian Red Cross Society and the Canadian branch of St. John Ambulance Association, the said Department is presently using in some of its hospitals the voluntary services of certain persons as helpers for nurses in ward and other duties of a routine nature, and that the performance of such duties is of valuable and necessary assistance to the staffs of such hospitals;

That the said voluntary helpers in the course of their duties are exposed to many of the hazards incidental to the work of hospital nursing;

That the said voluntary helpers, not being paid any wage or salary for these said services, are therefore not eligible for compensation under the Government Employees Compensation Act nor for treatment under the treatment regulations of the Department;

That it is deemed expedient that provision should be made whereby the said voluntary helpers shall be deemed employees within the meaning of the said Act and of the said treatment regulations so as to make them eligible for compensation for accident, other than compensation for temporary disability, and for treatment for accident and for communicable diseases contracted in the course of their duties.

The undersigned, therefore, has the honour to recommend that Your Excellency in Council, pursuant to the provisions of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, be pleased to order that:

1. All persons who, under arrangements made by the Department of Pensions and National Health with the Canadian Red Cross Society, the Canadian branch of St. John Ambulance Association or

any other society, association or group of like nature, are or may be voluntarily performing duties in departmental hospitals as helpers for nurses, or otherwise in assistance to the hospital staff in the treatment branch, shall be deemed to be employees within the meaning of that term as defined in the Government Employees Compensation Act as amended by Chapter 9 of the Statutes of Canada, 1931, for all purposes other than the payment to them of compensation for temporary disability, and the amount of compensation to be paid to or in respect of any such voluntary helper under the said Act shall be computed as though the said voluntary helper had been in receipt of a fixed wage of \$12.50 per week at the date of the causative accident, regardless of any minimum rate of compensation, statutory or otherwise, which may be in effect in any Province at that date.

2. All such persons set forth in the foregoing provision shall, for purposes of treatment, be deemed to be employees of the said Department, and as such, to come within such provisions of the Regulations made by Order in Council P.C. 91 of January 16th, 1936, and amendments thereto as may be applicable to such employees."

The Board concur in the above report and recommendation, and submit the same for favourable consideration.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council proclaiming Thursday, January 1, 1942, day of prayer
P.C. 10128

Certified to be a true copy of a Minute of a Meeting of the Committee of the Privy Council, approved by His Excellency the Governor General on the 27th December, 1941.

The Committee of the Privy Council on the recommendation of the Secretary of State, advise that a Proclamation do issue in the terms of the annexed draft, setting apart Thursday, January 1st, 1942, to be observed throughout Canada concurrently with a similar observance in the United Kingdom and in the United States of America as a day of Humble Prayer and Intercession to Almighty God touching the war in which Canada is now engaged.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Proclamation

29th December, 1941.

ATHLONE
[L.S.]

CANADA

GEORGE THE SIXTH, by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas KING, Defender of the Faith, Emperor of India;

To all to whom these Presents shall come or whom the same may in anywise concern, GREETING:

A PROCLAMATION

F. P. VARCOE,
Deputy Minister of Justice, Canada.

Whereas Our Dominion of Canada, in common with the United Kingdom, the other Dominions of the British Commonwealth and Allied and Associated Powers, has voluntarily taken up arms to defend the rights and liberties of free peoples against violence and aggression;

And whereas a state of war exists between Our said Dominion and the German Reich, Italy, Roumania, Hungary, Finland and Japan;

And whereas the Congress of the United States of America declared on the eighth day of December, in the year of Our Lord one thousand nine hundred and forty-one, that a state of war existed between the United States of America and Japan, and on the eleventh day of December, in the year of Our Lord one thousand nine hundred and forty-one, declared that a state of war existed between the United States of America and the German Reich and Italy;

And whereas, we have given expression to Our desire that Our people of the United Kingdom should set apart Thursday, the first day of January, in the year of Our Lord one thousand nine hundred and forty-two, as a Day of National Prayer on behalf of the Nation and Empire, their Allies and the cause in which they are united and should invoke the blessing of Almighty God upon Our just cause and should seek Divine Guidance by Humble Prayer and Intercession;

And whereas, the President of the United States of America has proclaimed the said Thursday, the first day of January, in the year of Our Lord one thousand nine hundred and forty-two, as a Day of Prayer in the United States of America;

We, therefore, believing that Our people of Canada should be enabled to join, in Humble Prayer and Intercession, with Our People of the United Kingdom and with the people of the United States of America, in the day already appointed for that purpose in the United Kingdom and in the United States of America and to make a public and solemn avowal of duty to Almighty God and of need of guidance, have thought fit, by and with the advice of Our Privy Council for Canada, to appoint and We do hereby appoint Thursday, the first day of January, in the year of Our Lord one thousand nine hundred and forty-two, to be throughout Our Dominion of Canada a Day of Humble Prayer and Intercession to Almighty God on behalf of the cause undertaken by the United Kingdom, by Canada and by other Dominions of the British Commonwealth of Nations and by Allied and Associated Powers and all those who are offering their lives for Our cause and for a speedy and enduring peace founded upon

justice and understanding; and We do hereby invite all Our Loving Subjects throughout Canada to set apart this appointed day as a day of Humble Prayer and Intercession.

Of all which Our Loving Subjects and all others whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

In testimony whereof We have caused these Our Letters to be made Patent and the Great Seal of Canada to be hereunto affixed. Witness: Our Dear Uncle, Our Right Trusty and Right Well-beloved Cousin and Counsellor, Alexander Augustus Frederick George, Earl of Athlone, Knight of Our Most Noble Order of the Garter, a Member of Our Most Honourable Privy Council, Knight Grand Cross of Our Most Honourable Order of the Bath, Grand Master of Our Most Distinguished Order of Saint Michael and Saint George, Knight Grand Cross of Our Royal Victorian Order, Companion of Our Distinguished Service Order, Colonel in Our Army (retired), having the honorary rank of Major-General, one of Our Personal Aides-de-Camp, Governor General and Commander-in-Chief of Our Dominion of Canada.

At Our Government House, in Our City of Ottawa, this twenty-seventh day of December, in the year of Our Lord one thousand nine hundred and forty-one and in the sixth year of Our Reign.

By Command:

W. P. J. O'MEARA,

Acting Under Secretary of State.

Order in Council prohibiting export of articles listed

Canada Gazette (Extra), 6th January, 1942

P.C. 10151

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 31st day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

Whereas by Order in Council of 4th October, 1941, P.C. 7674, the exportation from Canada of certain articles deemed capable of being converted into or made useful in the production of arms, ammunition, or military, naval and air stores, is prohibited, except under permit issued by or on behalf of, the Minister of Trade and Commerce;

And whereas it is considered desirable, in order to conserve supplies of essential commodities for Canadian and United Kingdom requirements, that the exportation of other articles be now prohibited;

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Trade and Commerce, and under and by virtue of the powers conferred by Section 290 of the Customs Act (Section 10, Chapter 24 of the Statutes of 1937) and by The War Measures Act (Chapter 206, R.S.C. 1927), is pleased to order as follows:—

1. The exportation of any of the following commodities is hereby prohibited except under permit issued by or on behalf of the Minister of Trade and Commerce:

Rags and waste of all kinds, composed wholly or in part of cotton, rayon, silk or wool, not elsewhere specified.

Automobiles passenger, chassis and engines therefor.

Motor truck and bus chassis.

2. Schedule One of the said Order in Council (P.C. 7674) is hereby amended by the addition thereto of the articles above set out,—

“Rags and waste specified”
to be added to Group 3. Fibres, Textiles, and Textile Products, and

“Automobiles chassis”
to be added to Group 5. Iron and its Products.

3. This order shall come into force and have effect on and after the twelfth day of January, 1942.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

**Order in Council amending Defence of Canada Regulation 35 — control
of lights and sound**

Canada Gazette (Extra), 8th January, 1942

P.C. 10152

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 31st day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL

Whereas the Minister of Pensions and National Health reports that it is deemed necessary and expedient that Subsection 9 (b) of Regulation 35 of Defence of Canada Regulations (Consolidation) 1941, made by Order in Council P.C. 5295 of 15th July, 1941, be so amended that if the person authorized by the Minister thereunder be a member of any Provincial Government, the said authorization should extend to his successors in office or his or their lawful deputy and to a person lawfully acting in his place or stead whilst the office is vacant;

And whereas the Minister states that certain authorizations heretofore made by him to Premiers of the Provinces under the provisions of said Regulation 35 of said Defence of Canada Regulations (Consolidation) 1941, have contained no express authority to said Premiers to delegate their powers to act thereunder.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health, concurred in by the Minister of Justice, and under and by virtue of the provisions of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is

pleased to amend the said Defence of Canada Regulations (Consolidation) 1941, and they are hereby amended by revoking subsection 9 (b) of Regulation 35 and substituting the following therefor:

- (b) who has been authorized to act by such person as may have been authorized by the said Minister to delegate his power to act thereunder, or, if such person be a Minister of any Provincial Government, by his successors in office or his or their lawful deputy, or by a person lawfully acting in his place or stead whilst the office is vacant.

His Excellency in Council, on the same recommendation, concurred in by the Minister of Justice and under the above cited authority, is further pleased to order and doth hereby order and direct that as respects all authorizations heretofore made by the Minister of Pensions and National Health to Premiers of the Provinces under the provisions of Regulation 35 of Defence of Canada Regulations (Consolidation) 1941, made by Order in Council P.C. 5295 of 15th July, 1941, the foregoing amendment to said Defence of Canada Regulations shall be deemed to have been in effect at the time of the making of said authorizations and, further, the said authorizations and all acts done under them respectively are hereby declared to be of the same validity as if the said authorizations had contained an express provision authorizing the said Premiers to delegate the power to act thereunder to such person or persons at such time or times and for such period or periods of time as the exigencies of the situation may require or as may be deemed expedient.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council revoking P. C. 7722, Dec. 31, 1940, Chinese Immigration, return to Canada

Canada Gazette, 17th January, 1942

P.C. 10160

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 31st day of December, 1941.

PRESENT:

HIS EXCELLENCE

THE GOVERNOR GENERAL IN COUNCIL:

Whereas the Minister of Mines and Resources reports that, owing to the continuance of the war, the provisions of Order in Council P.C. 7722 dated the 31st day of December, 1940, relating to the return to Canada of persons of Chinese origin who register outward under Section 23 of the Chinese Immigration Act, 1923, do not provide equality of treatment for all persons who may so register, in that, irrespective of the length of the war, those persons who may register subsequent to the 31st day of December, 1941, must return to Canada within two years from the registration date, as required by Section 24 of the said Act;

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Mines and Resources, is pleased to revoke Order in Council P.C. 7722 dated the 31st day of December, 1940, and it is hereby revoked accordingly.

His Excellency in Council, on the same recommendation and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada, 1927, is further pleased to order and doth hereby order that all persons of Chinese origin or descent registering outward under the authority of Section 23 of the Chinese Immigration Act, 1923, between the first day of December, 1938, and the date on which the war terminates, both dates inclusive, may delay their return to Canada either for two years beyond the termination of the war or for one year beyond the period provided in Section 24 of the Chinese Immigration Act, 1923, whichever may be the longer.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending P.C. 8253, Oct. 24, 1941; collective labour agreement, conformity by February 15, 1942

Canada Gazette (Extra), 9th January, 1942

P.C. 10195

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 31st day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas it is provided in paragraph 16 of the Wartime Wages and Cost of Living Bonus Order (Order in Council P.C. 8253 dated October 24th, 1941) that any provision of a collective labour agreement which is inconsistent with the provisions of that Order shall be brought into conformity with the Order not later than January 1st, 1942;

And whereas the Minister of Labour reports that the National War Labour Board represents that it is not possible to effect all the necessary adjustments in such collective labour agreements prior to that date, and that it is desirable that the period of time for such adjustments be extended to February 15th, 1942.

Therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Labour and under the authority of the War Measures Act, Chapter 206, Revised Statutes of Canada, 1927, is pleased to amend the Wartime Wages and Cost of Living Bonus Order (P.C. 8253 dated October 24th, 1941) and it is hereby amended by striking out paragraph 16 thereof and substituting therefor the following:—

“16. Any provision of any collective labour agreement which is inconsistent with the provisions of this Order shall be brought into conformity with this Order not later than February 15th, 1942. Any agreement so modified, and any other condition of work otherwise suspended in the interest of war production shall be fully restored on the termination of the present war. The National Board shall maintain a record of all such modifications and suspensions.”

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council appointing Hon. R. J. Manion Director of Civil Air Raid Precautions

P.C. 10196

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 31st day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas under Part III of Defence of Canada Regulations (Consolidation) 1941 wide powers and duties having to do with the public safety and order of Canada are vested in and placed upon the Minister of Pensions and National Health;

And whereas the Minister of Pensions and National Health reports that due to the necessity of increasing and widening the scope of precautionary measures under the said Regulations to meet conditions brought about by the extension of the war, it is deemed advisable to make provision for the appointment in the Department of Pensions and National Health of an officer who shall be clothed with such powers and assigned such duties under Part III of the said Regulations as the Minister of Pensions and National Health shall from time to time deem expedient and proper.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Pensions and National Health, and under the authority of the War Measures Act, Chapter 206 of the Revised Statutes of Canada 1927, is pleased to order and doth hereby order:—

- (a) That there be created in the Department of Pensions and National Health the office of Director of Civil Air Raid Precautions, the annual salary of which shall be \$8,000;
- (b) That the said Director shall exercise such powers and perform such duties under Part III of the Defence of Canada Regulations (Consolidation) 1941 as may be delegated or assigned to him by the Minister of Pensions and National Health and shall report thereon direct to the Minister of Pensions and National Health;
- (c) That for the purpose of this Order the said Director shall be vested with the rank and powers of a deputy head of a department;
- (d) That the Honourable Robert James Manion, M.C., M.D., C.M., be and he is hereby appointed Director of Civil Air Raid Precautions as of and from the 1st day of January, 1942;
- (e) That all sums required for this purpose be paid from the funds allotted to the Department from the War Appropriation for Air Raid Precautions purposes.

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

Order in Council amending Defence Air Regulations 1940—British Columbia prohibited area

Canada Gazette, 17th January, 1942

P.C. 10200

AT THE GOVERNMENT HOUSE AT OTTAWA

WEDNESDAY, the 31st day of December, 1941.

PRESENT:

HIS EXCELLENCY

THE GOVERNOR GENERAL IN COUNCIL:

Whereas, under the authority of the War Measures Act, being Chapter 206 of The Revised Statutes of Canada, 1927, certain regulations, cited as "The Defence Air Regulations, 1940", to control the flying of civil aircraft in Canada during the war, were made by Order in Council, P.C. 1890, of May 9th, 1940, and amended in certain respects by Orders in Council, P.C. 4626, of September 11th, 1940, and P.C. 992, of February 12th, 1941;

And whereas Regulation 4 of the said Regulations reads, in part, as follows:—

"(a) No civil aircraft, other than aircraft licensed to operate on a scheduled air transport service, as provided in Part VII of The Air Regulations, 1938, and registered aircraft of approved Canadian Flying Clubs engaged in the training of pilots or other personnel, shall be flown over any of the prohibited areas set forth in Schedule 'A' to these regulations, without the permission of one of the following officers of the Department of National Defence:—"

And whereas Schedule "A" sets forth only certain prohibited areas in the Province of British Columbia, but, in the interests of national safety, it is now deemed expedient to have the whole of the said Province made a prohibited area.

Now, therefore, His Excellency the Governor General in Council, on the recommendation of the Minister of Munitions and Supply and under the authority of the War Measures Act, is pleased to amend "The Defence Air Regulations, 1940", and they are hereby amended by deleting Items 16, 17, 18, 19, 20, 21, 22, 23, 24, and 25 in Schedule "A" thereto, "List of Prohibited Areas", and substituting, in lieu thereof, the following:

"British Columbia

16. British Columbia:

The area including the whole of the Province of British Columbia and the territorial waters adjacent thereto."

(Sgd.) A. D. P. HEENEY,
Clerk of the Privy Council.

INDEX

P.C. No.		PAGE
ADVERTISING—		
5955. Canadian Publishers War Finance Publicity Committee set up.	5th August, 1941	74
AGRICULTURAL IMPLEMENTS AND MACHINERY—		
8118. Export control	20th October, 1941	223
AGRICULTURAL PRODUCTS—		
5678. Control of export	31st July, 1941	68
AGRICULTURE—		
1/4937. Continuation of seed production programme	9th July, 1941	29
5521. Apples Okanagan Valley—agreement	22nd July, 1941	60
5532. Pork products, export prohibited	22nd July, 1941	63
5827. Dairy Products Board, amendments	29th July, 1941	70
5/6379. Apples, Okanagan Valley—agreement amended	19th August, 1941	96
6989. Apples, Okanagan Valley—agreement amended	5th September, 1941	150
7115. Apples, Nova Scotia—agreement <i>re</i> processing charges	10th September, 1941	154
7126. Apples, Annapolis Valley—agreement	10th September, 1941	155
7475. Apples, Okanagan Valley—agreement amended	25th September, 1941	180
7523. Feed supplies—freight charges remitted	25th September, 1941	181
8067. Feed supplies—amendment <i>re</i> freight charges	20th October, 1941	216
8097. Regulations respecting flour and feeds	22nd October, 1941	218
2/8119. Apples, Okanagan Valley—agreement amended	20th October, 1941	224
8126. Prairie Farm Income payments—regulations	22nd October, 1941	225
8396. Freight charges on Western grain and millfeeds	28th October, 1941	241
8590. Flax Fibre, inspection and grading	4th November, 1941	269
8671. Flour and feed regulations amended	7th November, 1941	276
8987. Flax—regulations	18th November, 1941	290
8989. Freight charges, British Columbia	18th November, 1941	293
9199. Prairie Farm Income Payments—amended	16th December, 1941	324
9200. Prairie Farm Income Payments—amended	10th December, 1941	325
9201. Wheat Acreage reduction—definition “summerfallow”	27th November, 1941	325
9228. Dehydrated vegetable products	6th December, 1941	326
9588. Eggs oil-dipped for export	16th December, 1941	346
AIRCRAFT PRODUCTION—		
9871. Specialized training, War Emergency Training Programme	23rd December, 1941..	374
AIR RAID PRECAUTIONS—		
7147. Medical services and pensions for personnel	10th September, 1941	157
AIR REGULATIONS, DEFENCE—		
10200. British Columbia, prohibited area	31st December, 1941..	391
ALBERTA—		
7588. Movements of coal—assistance	1st October, 1:41	182
ALFALFA—		
6685. Export control	26th August, 1941	119
ALIEN NATIONALS—		
4806. Holding foreign certificates, radio telegraph	2nd July, 1941	26
ANIMAL PRODUCTS—		
5678. Control of export	31st July, 1941	68
APPLES—		
5521. Okanagan Valley, agreement	22nd July, 1941	60
5/6379. Okanagan Valley, agreement amended	19th August, 1941	96
6989. Okanagan Valley, agreement amended	5th September, 1941	150
7115. Nova Scotia—processing charges	10th September, 1941	154
7126. Annapolis Valley—agreement	10th September, 1941	155
7475. Okanagan Valley—agreement amended	25th September, 1941	180
2/8119. Okanagan Valley—agreement amended	20th October, 1941	224
APPLICANT FOR ENLISTMENT BADGE—		
7893. Regulations	11th October, 1941	208
ASCORBIC ACID—		
8209. Export control	22nd October, 1941..	227

P.C. No.		PAGE
AUTOMOBILES—		
10151. Export control.....	31st December, 1941..	386
BADGE—		
7892. WAR SERVICE, description amended.....	11th October, 1941...	207
7893. Applicant for Enlistment regulations.....	11th October, 1941...	208
8493. War Service—changes authorized.....	1st November, 1941..	251
BELGIUM—		
22/6172. Limitations National Defence as agent.....	13th August, 1941....	90
BIRCH—		
7222. Export control.....	12th September, 1941..	167
9056. Flooring—export control.....	21st November, 1941..	303
BONES—		
6040. Control of export.....	8th August, 1941....	79
BRITISH COLUMBIA—		
7588. Movements of coal, assistance.....	1st October, 1941....	182
8989. Freight charges feed grains, etc.....	18th November, 1941..	293
10200. Prohibited area Defence Air Regulations.....	31st December, 1941..	391
BUILDING MATERIALS—		
9001. Sales tax payment.....	18th November, 1941..	295
CALCIUM CARBIDE—		
6932. Export control.....	2nd September, 1941..	143
9056. Export control.....	21st November, 1941..	303
CANADIAN PUBLISHERS WAR FINANCE PUBLICITY COMMITTEE—		
5955. Established.....	5th August, 1941....	74
CANADIAN RED CROSS—		
39/10066. Voluntary helpers, eligible Government Employees Compensation Act.	24th December, 1941..	383
CANADIAN SHIPPING BOARD—		
9932. Amended.....	23rd December, 1941..	378
CANADIAN WOMEN'S ARMY CORPS—		
6289. Formation.....	13th August, 1941....	92
4/7635. Pension regulations.....	1st October, 1941....	191
8880. Eligible—Rehabilitation Grant.....	18th November, 1941..	283
77/9130. Exemption Income and National Defence Taxes...	22nd November, 1941..	308
CANADIAN WOMEN'S AUXILIARY AIR FORCE—		
4798. Formation.....	2nd July, 1941.....	22
3/7635. Pay and allowances.....	1st October, 1941....	190
4/7635. Pension regulations.....	1st October, 1941....	191
112/7841. Air Forces Act, applicable.....	9th October, 1941....	205
CANTEEN FUNDS—		
74/9130. Custodians named.....	22nd November, 1941..	306
CASA D'ITALIA—VARIOUS BRANCHES—		
7343. Declared enemies	20th September, 1941..	173
CENSORSHIP CO-ORDINATION COMMITTEE—		
6571. Various Orders in Council revoked.....	26th August, 1941....	115
CHEMICALS—		
4996. Regulations.....	10th July, 1941.....	31
8673. Strategic chemicals, import permits.....	7th November, 1941..	277
CHINA—		
9231. Import permit on goods.....	27th November, 1941..	327
CHINESE IMMIGRATION—		
10160. Amendment of registration date.....	31st December, 1941..	388
CIVIL AIR RAID PRECAUTIONS—		
10196. Director, Hon. R. J. Manion.....	31st December, 1941..	390
CIVIL EMPLOYMENT RE-INSTATEMENT ORDER—		
49/8817. Applicable members C.W.A.C.....	11th November, 1941..	280

P.C. No.		PAGE
CIVIL SERVANTS—		
117/4840. Members Armed Forces—gratuity two months' salary not applicable.	3rd July, 1941.....	27
6/4937. Conditions <i>re</i> internal competition for trained personnel.	9th July, 1941.....	30
84/5484. Persons on Active Service, leave of absence.....	23rd July, 1941.....	59
6702. Cost of living bonus.....	26th August, 1941....	124
20/7474. Subject to Civil Service Superannuation Act prior service.	23rd September, 1941..	178
13/8600. Leave—training under National Resources Mobilization Act.	5th November, 1941..	272
95/9823. Dependents' or Marriage Allowance certain classes typists and stenographers.	17th December, 1941..	370
CIVIL SERVICE—		
9522. Staggered hours.....	5th December, 1941..	340
CIVIL SERVICE ACT—		
8541½. Preference ex-service men, war with German Reich...	1st November, 1941..	267
CIVIL SERVICE SUPERANNUATION ACT—		
20/7474. Prior service—regulations.....	23rd September, 1941..	178
CLAIMS AGAINST THE CROWN—		
50/6954. Traffic accidents in United Kingdom.....	6th September, 1941.	147
59/7305. National Defence Minor Claims (Motor Vehicle Accidents) Order 1941.	17th September, 1941.	167
40/8600. Traffic accidents Naval or Air Force vehicles.....	5th November, 1941..	273
52/8600. Accidents Territorial waters, Naval Forces.....	5th November, 1941..	274
COAL—		
7588. Assistance Alberta and British Columbia.....	1st October, 1941....	182
COMMITTEES—		
4500. Canadian Joint Economic.....	20th June, 1941.....	13
COMMODITY PRICES STABILIZATION CORPORATION—		
9870. Established.....	17th December, 1941..	370
CONTRACTS—		
4797. Investigators <i>re</i> manufacture of munitions.....	2nd June, 1941.....	21
6036. Amount involved, authority.....	19th August, 1941....	76
9159. Recovery of excessive profits.....	26th November, 1941..	319
CONSTRUCTION—		
6656. Duties of Controller.....	26th August, 1941....	118
CORK—		
8648. Permit for importation.....	7th November, 1941..	276
COST OF LIVING BONUS—		
6702. Members of the public service.....	26th August, 1941....	124
122/7305. Amendment P.C. 6702.....	17th September, 1941..	170
8253. Covering all employers and employees.....	24th October, 1941...	228
120/9130. Postmasters of Revenue Post Offices.....	22nd November, 1941..	315
10195. Amendment P.C. 8253.....	31st December, 1941..	389
COTTON YARN—		
6932. Export control.....	2nd September, 1941..	143
CUSTOMS DUTY—		
56/5484. Remission supplies Allied Governments.....	23rd July, 1941.....	59
86/7474. Remission on articles imported for temporary use..	23rd September, 1941..	180
63/7994. Remission on goods exported.....	15th October, 1941...	214
1/8255. Remission on Munitions of War.....	24th October, 1941...	234
57/8600. Remission supplies Allied Governments.....	5th November, 1941..	275
CZECHOSLOVAKIA—		
22/6172. Limitations National Defence as agent.....	13th August, 1941....	90
DAIRY PRODUCTS BOARD—		
5827. Amended—licences.....	29th July, 1941.....	70
DAY OF NATIONAL PRAYER—		
10128. Authorizing.....	27th December, 1941..	384
Proclamation.....	29th December, 1941..	385
DECORATIONS, FOREIGN—		
8317. Procedure.....	28th October, 1941...	240

P.C. No.		PAGE
DEFENCE AIR REGULATIONS—		
10200.	British Columbia, prohibited area	31st December, 1941.. 391
DEFENCE OF CANADA REGULATIONS—		
4801.	Control of lights, sounds and traffic amended	2nd July, 1941..... 23
5085.	Control of tonnage, amended	8th July, 1941..... 37
5247.	Power to obtain information	15th July, 1941..... 55
5295.	Consolidation 1941	15th July, 1941..... 57
5830.	Strikes and calling out Militia	29th July, 1941..... 71
7987.	Photography—cameras in protected places	15th October, 1941.. 212
9543.	Certificates Roumanian, Hungarian and Finnish	23rd December, 1941.. 345
9591.	Registration members of Japanese race	7th December, 1941.. 348
9661.	General control of shipping	10th December, 1941.. 357
9818.	Control of lights	19th December, 1941.. 369
9895.	Precautions against hostile attack	26th December, 1941.. 376
10152.	Control of lights, sounds and traffic, amended	31st December, 1941.. 387
DEFENCE PRODUCTION OF CANADA AND THE UNITED STATES—		
8441.	Canadian section of Joint Committee	31st October, 1941.... 245
DEHYDRATION—		
9228.	Vegetable products	6th December, 1941... 326
DENTAL CORPS, CANADIAN—		
9089.	Provisions amended	21st November, 1941.. 304
DEPENDENTS' ALLOWANCE BOARD—		
13/9600.	Amendments C.A.S.F.	10th December, 1941.. 352
25/9600.	Amendments R.C.A.F.	10th December, 1941.. 353
DIAMONDS—		
62/8400.	Industrial, black and dust	29th October, 1941... 244
DISCHARGE RE-ESTABLISHMENT ORDER, POST—		
7633.	Established	1st October, 1941.... 184
DOMINION FUEL BOARD—		
19/6016.	Transferred Wartime Prices and Trade Board	6th August, 1941.... 75
7082.	Duties and functions under Minister of Finance	10 September, 1941.. 153
DRAWBACK—		
55/5204.	Regulations—export	16th July, 1941..... 45
56/5204.	Regulations—goods imported	16th July, 1941..... 47
DUMPING DUTIES—		
9888.	Suspended	19th December, 1941.. 375
ECONOMIC COMMITTEE, CANADIAN JOINT—		
4500.	Established	20th June, 1941.... 13
EGGS—		
9588.	Oil-dipped for export	16th December, 1941.. 346
ENEMY—		
9797.	Definition	16th December, 1941.. 368
ESTATES, NAVAL, MILITARY AND AIR FORCE—		
4770.	Regulations amended	2nd July, 1941..... 19
EXPORT—		
5084.	Permits, P.C. 2488 amended	8th July, 1941..... 37
55/5204.	Regulations re drawback	16th July, 1941..... 45
5532.	Pork products prohibited	22nd July, 1941..... 63
5679.	Feed grains, control	29th July, 1941..... 69
6040.	Bones and tanners' fleshings, control	8th August, 1941.... 79
6685.	Various articles, control	26th August, 1941... 119
7222.	Birch and maple lumber, control	12th September, 1941.. 167
7519.	Sitka spruce, control	25th September, 1941.. 181
7674.	Articles listed, control	4th October, 1941.... 194
63/7994.	Remission of customs duty	15th October, 1941... 214
8025.	Sphagnum peat moss, control	17th October, 1941... 215
8118.	Various articles, control	20th October, 1941... 223
8209.	Various articles listed, control	22nd October, 1941... 227
9056.	Various articles listed, control	21st November, 1941.. 303
9180.	Furs and fur skins, control	24th November, 1941.. 323
9269.	Advisory Committee on Export Control established	27th November, 1941.. 328
9935.	Various articles listed, control	23rd December, 1941.. 379
10151.	Various articles listed, control	31st December, 1941.. 386

P.C. No.	PAGE
EX-SERVICE MEN—	
8541½. Preference re Civil Service.....	1st November, 1941... 267
EXTERNAL AFFAIRS—	
4500. Joint Economic Committee.....	20th June, 1941.... 13
8317. Foreign decorations.....	28th October, 1941... 240
8441. Defence Production of Canada and the United States.....	31st October, 1941... 245
8487. Shipping Priorities Committee.....	31st October, 1941... 247
FAIRMONT COMPANY LIMITED—	
7191. Sole agents for rubber supplies.....	12th September, 1941.. 165
8545. Rubber supplies, amending regulations.....	4th November, 1941.. 268
FAIR WAGES AND LABOUR CONDITIONS—	
5522. Obstruction of labour representative.....	22nd July, 1941.... 62
FEED GRAINS—	
5679. Export control.....	29th July, 1941.... 69
7523. Freight charges to Eastern Canada.....	25th September, 1941.. 181
8067. Amendment freight charges.....	20th October, 1941... 216
8097. Regulations respecting.....	22nd October, 1941... 218
8396. Freight charges.....	28th October, 1941... 241
8671. Regulations amended.....	7th November, 1941.. 276
8989. Freight charges to British Columbia.....	22nd November, 1941.. 293
FINANCE—	
117/4840. Gratuity under Civil Service Act.....	3rd July, 1941.... 27
6/4937. Conditions <i>re</i> internal competition for trained personnel.....	9th July, 1941.... 30
5291. White wall tires, import prohibited.....	15th July, 1941.... 56
5357. Printing and stationery orders <i>re</i> war loans, etc.....	17th July, 1941.... 58
5955. Canadian Publishers War Finance Publicity Committee	5th August, 1941.... 74
6332. Wartime Prices and Trade Board, transfer from Labour	14th August, 1941... 93
6440. Wartime Prices and Trade Board—penalties.....	19th August, 1941... 107
6701. Maximum Rental Regulations—penalties.....	26th August, 1941... 122
6702. Cost of living bonus to members Public Service.....	26th August, 1941... 124
6834. Wartime Prices and Trade Regulations.....	28th August, 1941... 129
7082. Dominion Fuel Board transferred from Labour.....	10th September, 1941.. 153
122/7305. Amending Cost of Living Bonus.....	17th September, 1941.. 170
8527. Maximum Prices Regulations.....	1st November, 1941.. 254
8528. Wartime Prices and Trade Regulations, amended.....	1st November, 1941.. 257
13/8600. Leave, employees of Public Service—service <i>re</i> National Resources Mobilization.....	5th November, 1941.. 272
8648. Cork, permit for importation.....	7th November, 1941.. 276
8818. Maximum Prices Regulations amended.....	11th November, 1941.. 281
8837. Wartime Prices and Trade Regulations, amended.....	13th November, 1941.. 282
8965. Maximum Rental Regulations.....	21st November, 1941.. 287
9029. Wartime Leasehold Regulations.....	21st November, 1941.. 297
9030. Wartime Prices and Trade Regulations, amended.....	19th November, 1941.. 302
9298. Wartime Salaries Order.....	27th November, 1941.. 332
9338. Regulations respecting oils, amended.....	2nd December, 1941.. 336
9599. War Savings Certificates held by married women in Quebec.....	31st December, 1941.. 351
9792. Articles of glass, import control.....	16th December, 1941.. 368
9870. Commodity Prices Stabilization Corporation.....	17th December, 1941.. 370
FINANCIAL REGULATIONS AND INSTRUCTIONS (C.A.S.F.)—	
13/9600. Amendments Dependents' Allowances.....	10th December, 1941.. 352
FINLAND—	
9542. State of War declared.....	6th December, 1941.. 343
Proclamation	7th December, 1941.. 344
9543. Certificates residents in Canada	23rd December, 1941.. 345
FISHERIES—	
5631. Canned salmon, regulations.....	26th July, 1941.... 65
6285. "Polaris" licensed for fishing.....	14th August, 1941.... 91
6363. Salmon—certain processing prohibited.....	19th August, 1941.... 94
6950. Herring—regulations.....	2nd September, 1941.. 144
8529. Herring—regulations amended.....	4th November, 1941.. 266
FISHERMEN, SALT-WATER—	
87/5204. Compensation and pensions.....	16th July, 1941.... 48
FISHING VESSELS—WEST COAST—	
9761. No person of Japanese race to operate.....	16th December, 1941.. 367

P.C. No.		Page
FLAX FIBRE—		
8590. Regulations inspection and grading.....	4th November, 1941..	269
FLAX STRAW—		
8987. Regulations.....	18th November, 1941..	290
FLOUR—		
8097. Regulations respecting.....	22nd October, 1941...	218
8671. Regulations amended.....	7th November, 1941..	276
FREIGHT—		
7523. Charges on feed grains Eastern Canada	25th September, 1941..	181
8067. Amendment charges on feed grains.....	20th October, 1941...	216
8396. Charges on feed grains Eastern Canada	28th October, 1941...	241
FURNITURE—METAL—		
8118. Export control.....	20th October, 1941...	223
FURS AND FUR SKINS—		
9180. Export control.....	24th November, 1941..	323
GEORGE CROSS AND MEDAL—		
8882. Provisions for award.....	18th November, 1941..	284
GLASS—NOT PLATE OR SHEET—		
9792. Import control.....	16th December, 1941..	368
GLYCEROPHOSPHORIC ACID AND GLYCEROPHOSPHATES—		
8209. Export control.....	22nd October, 1941...	227
GOVERNMENT EMPLOYEES COMPENSATION ACT—		
85/5775. Trainees War Emergency Training.....	30th July, 1941.....	70
28/7474. Trainees Various Government projects.....	23rd September, 1941..	178
39/10066. Voluntary helpers eligible.....	24th December, 1941..	383
GRATUITY—		
117/4840. Not applicable members, naval, military and air forces.....	3rd July, 1941.....	27
GREYFISH OR DOGFISH—		
9056. Export control.....	21st November, 1941..	303
GROUND MECHANICS, R.C.A.F.—		
4636.—Training by Department of Labour.....	25th June, 1941.....	17
HALIFAX—		
6441. Security Control Officer appointed.....	20th August, 1941...	108
HAY—		
6685. Export control	26th August, 1941....	119
HERRING, CANNED—		
6950. Regulations.....	2nd September, 1941..	144
8529. Regulations amended.....	4th November, 1941..	266
HIDES—		
4767. Maximum price and maximum markup.....	2nd July, 1941.....	18
4768. Licence for dealers.....	2nd July, 1941.....	19
HOGS—LIVE AND DRESSED—		
6951. Export control.....	2nd September, 1941..	146
HOSPITAL ALLOWANCES—		
81/6379. R.C.A.F.....	19th August, 1941....	96
HOUSEHOLD MACHINERY—		
8118. Export control.....	20th October, 1941....	223
HUNGARY—		
9542. State of War declared.....	6th December, 1941...	343
Proclamation.....	7th December, 1941..	344
9543. Certificates, residents in Canada.....	23rd December, 1941..	345
IDENTITY CERTIFICATES, SEAMEN'S—		
9166. Regulations.....	26th November, 1941..	322
IMPORTS—		
56/5204. Drawback—regulations.....	16th July, 1941.....	47
7473. Goods from Japan and Manchuria banned.....	23rd September, 1941..	177
8648. Cork—permit.....	7th November, 1941..	276
8673. Strategic chemicals listed—permit.....	7th November, 1941..	277
9231. Goods from China—permit.....	27th November, 1941..	327
9792. Glass not plate or sheet—control.....	16th December, 1941..	368

P.C. No.		PAGE
INDUSTRIAL DISPUTES INQUIRY COMMISSION—		
4844. Amending.....	2nd July, 1941.....	28
7068. Amending.....	10th September, 1941..	151
INOCULATION—		
6375. Compulsory, members of Armed Forces.....	19th August, 1941....	95
INSPECTION BOARD OF UNITED KINGDOM AND CANADA—		
6297. Amended, eight members in place of six.....	15th August, 1941....	92
INTERNATIONAL LOAD LINE CONVENTION—		
7816. Amendment.....	8th October, 1941....	200
INTERNMENT CAMPS AND STATIONS—		
4568. Regulations.....	25th June, 1941.....	14
INVESTIGATORS—		
4797. Contracts for manufacture of munitions.....	2nd July, 1941.....	21
IRRIGATED LANDS—		
9200. Regulations Prairie Farm Income Payments.....	10th December, 1941..	325
JAPAN—		
7473. Importation of goods prohibited.....	23rd September, 1941.	177
9590. Proscribed territory.....	7th December, 1941..	347
9591. Registration members of Japanese race.....	7th December, 1941..	348
9592. State of war declared.....	7th December, 1941..	349
Proclamation—State of War.....	8th December, 1941..	350
9760. Registration of all persons of Japanese race in Canada..	16th December, 1941..	359
9761. Fishing vessels, West Coast.....	16th December, 1941..	367
JOINT COMMITTEE ON DEFENCE PRODUCTION OF CANADA AND THE UNITED STATES—		
8441. Canadian Section.....	31st October, 1941....	245
JUSTICE—		
5295. Defence of Canada Regulations Consolidation 1941...	15th July, 1941.....	57
7986. Penitentiaries may employ men of military age.....	15th October, 1941...	211
7987. Defence of Canada Regulations—photography.....	15th July, 1941.....	212
9543. Defence of Canada Regulations—certificates, Finnish, Hungarian and Roumanian nationals.	23rd December, 1941..	345
9591. Defence of Canada Regulations—registration persons of Japanese race.	7th December, 1941..	348
9760. Re-registration of all persons of Japanese race.....	16th December, 1941..	359
9761. Fishing vessels West Coast—no member Japanese race to operate.	16th December, 1941..	367
LABOUR—		
4636. Training, ground mechanics for R.C.A.F.....	25th June, 1941.....	17
4767. Hides, skins and leather, maximum prices.....	2nd July, 1941.....	18
4768. Hides, skins and leather, licences to dealers.....	2nd July, 1941.....	19
4844. Industrial Disputes Commission, amended.....	2nd July, 1941.....	28
5157. Feeds for cattle—maximum prices.....	10th July, 1941.....	44
5522. Obstruction of labour representative.....	22nd July, 1941.....	62
85/5775. Trainees eligible Government Employees Com- pensation Act.	30th July, 1941.....	70
10/6172. Travelling expenses employees in war industries...	13th August, 1941....	88
6332. Wartime Prices and Trade Board transferred to Finance	14th August, 1941....	93
7068. Industrial Disputes Commission, amended.....	10th September, 1941.	151
7082. Dominion Fuel Board transferred Finance Department	10th September, 1941.	153
7307. Strike vote—regulations.....	16th September, 1941.	171
28/7474. Trainees various Government programmes eligible Government Employees Compensation Act	23rd September, 1941.	178
7679. Minimum wage rates <i>re</i> war contracts, schedule amended.	4th October, 1941 ...	195
8253. Wartime Wages and Cost of Living Bonus Order.....	24th October, 1941 ...	228
8821. Strike vote—regulations amended.....	13th November, 1941.	281
9272. Investigations and inquiries <i>re</i> Wartime Wages policy..	27th November, 1941.	329
9514. Regional War Labour Boards, authorized.....	5th December, 1941..	339
9871. Specialized training <i>re</i> aircraft production.....	23rd December, 1941..	374
9926. National War Labour Board, amended.....	31st December, 1941..	377
15/10066. Training <i>re</i> Post-Discharge Re-establishment Order.	24th December, 1941..	382
10195. Amendment Wartime Wages and Cost of Living Bonus	31st December, 1941 ..	389
LEASEHOLD RIGHTS, WARTIME—		
9029. Regulations.....	21st November, 1941 ..	297

P.C. No.	PAGE
LEATHER—	
4767. Maximum price and maximum markup.....	2nd July, 1941..... 18
4768. License for dealers.....	2nd July, 1941..... 19
LEBANON—	
7342. No longer proscribed territory.....	20th September, 1941. 172
LEVY, PROCESSING—	
9936. Regulations.....	23rd December, 1941.. 379
LICENSES—	
4768. Dealers in hides, skins and leather.....	2nd July, 1941..... 19
LIGHTS—	
4801. Control.....	2nd July, 1941..... 23
9818. Control—amendments.....	19th December, 1941.. 369
10152. Control—amendments.....	31st December, 1941.. 387
LOAD LINE RULES—	
5581. Regulations non-passenger ships, lakes and rivers.....	24th July, 1941..... 64
6497. Regulations ships other than lakes and rivers.....	22nd August, 1941.... 111
7816. International Convention 1940, amended.....	8th October, 1941... 200
MACHINERY AND MACHINE TOOLS—	
7357. Amending regulations.....	20th September, 1941. 174
MANCHURIA—	
7473. Importation of goods prohibited.....	23rd September, 1941. 177
MANDARINS—	
8324. Exempt <i>re</i> War Exchange Conservation Act.....	28th October, 1941... 241
MANION, Hon. R. J.—	
10196. Named Director, Civil Air Raid Precautions.....	31st December, 1941.. 390
MANNING POOLS—	
7891. Amendments.....	11th October, 1941... 206
83/7994. Pay and allowances, seamen	15th October, 1941... 215
149/9130. Arrangements approved.....	22nd November, 1941.. 317
MANOEUVRE (CANADA) REGULATIONS 1941—	
5134. Established.....	10th July, 1941..... 39
MAPLE—	
7222. Export control.....	12th September, 1941.. 167
9056. Flooring, export control.....	21st September, 1941.. 303
MARITIME-NATIONAL FISH LIMITED—	
6285. "Polaris" licensed for fishing.....	14th August, 1941.... 91
MASTERS AND MATES—	
8995. Regulations <i>re</i> certificates.....	18th November, 1941.. 294
MAXIMUM PRICES—	
4767. Hides, skins, leather.....	2nd July, 1941..... 18
5157. Feeds for cattle.....	10th July, 1941..... 44
8527. Regulations.....	1st November, 1941.. 254
8818. Regulations amended.....	11th November, 1941.. 281
MAXIMUM RENTALS—	
8965. Regulations.....	21st November, 1941.. 287
MEN OF MILITARY AGE—	
5534. National Research Council may employ.....	22nd July, 1941..... 64
7986. Penitentiaries may employ.....	15th October, 1941.. 211
MERCHANT NAVY BADGE, CANADIAN—	
6686. Regulations.....	26th August, 1941.... 120
MERCHANT SEAMEN—	
5088. Order 1941—amended.....	10th July, 1941..... 38
81/6954. Order 1941—amended—release to a ship.....	6th September, 1941.. 149
7891. Order 1941 amended manning pools.....	11th October, 1941... 206
148/9130. Training programme.....	22nd November, 1941.. 315
149/9130. Manning Pools.....	22nd November, 1941.. 317
9165. Compensation or benefits—ships of foreign registry.....	26th November, 1941.. 320
9166. Identity certificates, regulations.....	26th November, 1941.. 322
METALS—	
7358. Regulations amended.....	20th September, 1941.. 174

P.C. No.	PAGE
MILITIA, ACTIVE—	
5830. Calling out <i>re</i> strikes.....	9th July, 1941..... 71
MILITIA PENSIONS ACT—	
8525. Adjustment—long service pensions.....	1st November, 1941.. 252
MINES AND RESOURCES—	
19/6016. Dominion Fuel Board transferred Wartime Prices and Trade Board.	6th August, 1941.... 75
10160. Chinese Immigration—registration.....	31st December, 1941.. 388
MINIMUM WAGE RATES—	
7679. Amending schedule <i>re</i> war contracts.....	4th October, 1941... 195
MINOR CLAIMS (MOTOR VEHICLE ACCIDENTS) ORDER 1941—	
59/7305. Regulations.....	17th September, 1941. 167
MOBILIZATION DIVISION—	
8488. Under National War Services.....	31st October, 1941... 249
MOTOR VEHICLE ACCIDENTS—	
59/7305. National Defence Minor Claims.....	17th September, 1941. 167
MOTOR VEHICLE CONTROL—	
9973. Regulations amended.....	23rd December, 1941.. 381
MUNITIONS AND SUPPLY—	
4797. Investigators <i>re</i> contracts.....	2nd July, 1941..... 21
4996. Regulations respecting chemicals.....	10th July, 1941..... 31
6036. Contracts—authority.....	19th August, 1941.... 76
6037. Timber regulations amended.....	8th August, 1941.... 78
6124. Silk conservation.....	9th August, 1941.... 79
6131. Regulations respecting Transit.....	12th August, 1941.... 81
6387. South Africa—Minister, agent.....	19th August, 1941.... 97
6388. U.S.S.R.—Minister, agent.....	19th August, 1941.... 99
6391. Regulations respecting supplies.....	19th August, 1941.... 100
6655. Deputy Priorities officers.....	26th August, 1941.... 116
6656. Controller of Construction, duties.....	26th August, 1941.... 118
6835. Wartime Industries Control Board.....	29th August, 1941.... 135
7174. Amending regulations <i>re</i> supplies.....	12th September, 1941. 163
7191. Rubber control—Fairmont Co. Ltd.....	12th September, 1941. 165
7357. Machinery and machine tools, regulations amended.....	20th September, 1941. 174
7358. Metals, regulations amended.....	20th September, 1941. 174
7359. Steel, regulations amended.....	20th September, 1941. 175
7360. Timber, regulations amended.....	20th September, 1941. 176
7824. Wartime Industries Control Board, amended.....	8th October, 1941... 202
1/8255. Remission of Customs duties.....	24th October, 1941... 234
8545. Rubber—definition and regulations.....	4th November, 1941. 268
9001. Sales tax on building materials.....	18th November, 1941. 295
45/9130. Scrap and surplus articles, authority to sell, exchange, etc.	22nd November, 1941.. 306
9159. Sub-contracts, recovery of excessive profits.....	26th November, 1941. 319
9282. Regulations respecting supplies, amended.....	27th November, 1941. 330
9297. Storage of munitions of war.....	27th November, 1941. 331
9818. Control of lights.....	19th December, 1941.. 369
9973. Regulations respecting Motor Vehicles, amended.....	23rd December, 1941.. 381
10200. British Columbia prohibited area	31st December, 1941.. 391
NATIONAL DEFENCE—	
4568. Internment camps and stations.....	25th June, 1941..... 14
4770. Naval, Military and Air Force Estates.....	2nd July, 1941..... 19
4798. Canadian Women's Auxiliary Air Force.....	2nd July, 1941..... 22
5088. Merchant Seamen Order, 1941, amended.....	10th July, 1941.... 38
5134. Manoeuvre (Canada) Regulations, 1941.....	10th July, 1941.... 39
5135. Secret Documents (Non-Publication) Order 1941.....	15th July, 1941..... 42
5247. Power to obtain information.....	15th July, 1941..... 55
22/6172. Limitations as agent for various countries.....	13th August, 1941.... 90
6289. Canadian Women's Army Corps.....	13th August, 1941.... 92
6297. Inspection Board of United Kingdom and Canada.....	15th August, 1941.... 92
6375. Vaccination and inoculation of Armed Forces.....	19th August, 1941.... 95
50/6954. Traffic accidents in United Kingdom.....	6th September, 1941.. 147
68/6954. R.C.A.F. deduction from pay and allowances.....	6th September, 1941.. 148
81/6954. Merchant Seamen Order—release to a ship.....	6th September, 1941.. 149
59/7305. Minor Claims (Motor Vehicle Accidents) Order 1941	17th September, 1941.. 167

NATIONAL DEFENCE—*Continued*

64/7474. Applicants R.C.A.F., board and lodging.....	23rd September, 1941..	174
3/7635. C.W.A.A.F.—pay and allowances.....	1st October, 1941....	190
112/7841. C.W.A.A.F.—Air Force Act applicable.....	9th October, 1941....	205
7891. Merchant Seamen Order—manning pools.....	11th October, 1941....	206
7892. War Service Badge—description.....	11th October, 1941....	207
7893. Applicant for Enlistment Badge—description.....	11th October, 1941....	208
32/8400. Registered mail, procedure.....	29th October, 1941....	243
8493. War Service Badge—change of design.....	1st November, 1941..	251
8525. Militia Pension Act—long service pensions.....	1st November, 1941..	252
40/8600. Traffic accidents Naval or Air Force Vehicles.....	5th November, 1941..	273
52/8600. Accidents territorial waters Naval Forces.....	5th November, 1941..	274
49/8817. C.W.A.C. eligible Civil Employment Re-instatement.....	11th November, 1941..	280
8880. C.W.A.C. eligible Rehabilitation Grant	18th November, 1941..	282
8882. George Cross and Medal, provisions.....	18th November, 1941..	283
9089. Dental Corps—provisions.....	21st November, 1941..	304
74/9130. Canteen funds—custodians.....	22nd November, 1941..	306
77/9130. C.W.A.C. exempt Income and National Defence taxes.....	22nd November, 1941..	308
13/9600. Dependents' Allowances C.A.S.F. amendments.....	10th December, 1941..	352
25/9600. Dependents' allowances R.C.A.F. amendments.....	10th December, 1941..	353
27/9600. Naval College re-established.....	10th December, 1941..	354
9661. General control of shipping.....	10th December, 1941..	357
9895. Precautions against hostile attack.....	26th Dec., 1941.....	376
NATIONAL REGISTRATION DIVISION—		
8488. Under National War Services.....	31st October, 1941....	249
NATIONAL RESEARCH COUNCIL—		
5534. Men of military age may be employed.....	22nd July, 1941.....	64
NATIONAL RESOURCES MOBILIZATION ACT—		
7680. Regulations 1940 (Recruits) Consolidation 1941 amended.....	4th October, 1941....	197
8406. Regulations amended.....	31st October, 1941....	245
13/8600. Leave—employees of Public Service attached to Training Centre.....	5th November, 1941..	272
NATIONAL REVENUE—		
45/5204. Petroleum and Naphtha Inspection Act	16th July, 1941.....	45
55/5204. Drawback for export, regulations.....	16th July, 1941.....	45
56/5204. Drawback on goods imported, regulations.....	16th July, 1941.....	47
56/5484. Remission of customs duty—supplies allied countries	23rd July, 1941.....	59
7473. Goods from Japan and Manchuria import prohibited	23rd September, 1941..	177
86/7474. Remission of Customs duty on goods imported for temporary use.....	23rd September, 1941..	180
63/7994. Remission of Customs duty on goods exported.....	15th October, 1941....	214
1/8255. Remission Customs duty on munitions of war.....	24th October, 1941....	234
62/8400. Diamonds—War Exchange Conservation Act.....	29th October, 1941....	244
57/8600. Remission of Customs duty—supplies Allied Governments.....	5th November, 1941..	275
109/9130. Remission of Customs duty—effects of non-residents enlisting in Armed Forces, etc.....	22nd Nov., 1941.....	309
9231. Import permit—goods from China.....	27th November, 1941..	327
9888. Dumping duties suspended.....	19th December, 1941..	375
9889. Selling prices basis for valuation for duty purposes....	19th December, 1941..	375
NATIONAL WAR LABOUR BOARD—		
8253. Constituted.....	24th October, 1941....	228
9298. Wartime Salaries Order.....	27th November, 1941..	332
9514. Regional War Labour Boards.....	5th December, 1941..	339
9926. Amended.....	31st December, 1941..	377
NATIONAL WAR SERVICES—		
6571. Censorship Co-ordination Committee.....	26th August, 1941....	115
7680. Regulations 1940 (Recruits) (Consolidation 1941) amended.....	4th October, 1941....	197
8406. Regulations—amended.....	31st October, 1941....	245
8488. Departmental Divisions.....	31st October, 1941....	249
NAVAL COLLEGE—		
27/9600. Re-establishment.....	10th December, 1941..	354

P.C. No.		PAGE
NAVAL FORCES—		
52/8600.	Accidents territorial waters.....	5th November, 1941.. 274
NAVY, Canadian Merchant—		
6686.	Badge.....	26th August, 1941.... 120
NETHERLANDS—		
22/6172.	Limitations National Defence as agent	13th August, 1941.... 90
NICOTINE ACID—		
8209.	Export control	22nd October, 1941.... 227
NON-RESIDENTS ENTERING CANADA—		
109/9130.	Conditions—remission of customs duties.....	22nd November, 1941.. 309
NORWAY—		
22/6172.	Limitations National Defence as agent	13th August, 1941.... 90
NOVA SCOTIA—		
7115.	Processing charges on apples.....	10th September, 1941.. 154
7126.	Agreement <i>re</i> apples—Annapolis.....	10th September, 1941.. 155
OILS—		
9338.	Regulations amended.....	2nd December, 1941.. 336
OKANAGAN VALLEY—		
5521.	Apple agreement.....	22nd July, 1941..... 60
5/6379.	Apple agreement amended.....	19th August, 1941.... 96
6989.	Apple agreement amended.....	5th September, 1941.. 150
7475.	Apple agreement amended.....	25th September, 1941.. 180
2/8119.	Apple agreement amended.....	20th October, 1941... 224
PAPER—		
9056.	Boards, fibre boards, etc.....	21st November, 1941.. 303
PENITENTIARIES—		
7986.	May employ men of military age.....	15th October, 1941... 211
PENSIONS AND NATIONAL HEALTH—		
4801.	Control of lights, sounds and traffic.....	2nd July, 1941..... 23
81/6379.	Hospital allowances R.C.A.F.....	19th August, 1941.... 96
6554.	Conservation of tin <i>re</i> canned goods.....	26th August, 1941.... 113
6874.	Reconstruction Committee.....	2nd Sept, 1941..... 141
7147.	A.R.P. personnel, medical services and pensions.....	10th September, 1941.. 157
7633.	Post-Discharge Re-establishment Order.....	1st October, 1941.... 184
4/7635.	Pension regulations C.W.A.C. and C.W.A.A.F.....	1st October, 1941.... 191
8541½.	Ex-service men, preference Civil Service.....	1st November, 1941.. 267
115/9130.	Pension amendments.....	22nd November, 1941.. 310
113/9400.	Supplementary allowances.....	3rd December, 1941.. 337
9818.	Control of lights.....	19th December, 1941.. 369
9895.	Precautions against hostile attack.....	26th December, 1941.. 376
39/10066.	Voluntary helpers eligible Government Employees Compensation Act.....	24th December, 1941.. 383
10152.	Control of lights, sound and traffic, amendment.....	31st December, 1941.. 387
10196.	Director of Civil Air Raid Precautions.....	31st December, 1941.. 390
PETROLEUM AND NAPHTHA INSPECTION ACT—		
45/5204.	Operations suspended.....	16th July, 1941..... 45
PHOTOGRAPHY—		
7987.	Cameras in protected places.....	15th October, 1941.... 212
PLATEAU COMPANY LIMITED—		
6124.	Silk conservation.....	9th August, 1941.... 79
POLAND—		
22/6172.	Limitations National Defence as agent	13th August, 1941.... 90
"POLARIS"—		
6285.	Licensed for fishing.....	14th Auggst, 1941.... 91
PORK PRODUCTS—		
5532.	Export prohibited.....	22nd July, 1941..... 63
POSTAL PACKETS—		
32/8400.	Procedure when registered.....	29th October, 1941... 243
POST DISCHARGE RE-ESTABLISHMENT ORDER—		
7633.	Established.....	1st October, 1941.... 184
15/10066.	Training by Dept. of Labour.....	24th December, 1941.. 382

P.C. No.	PAGE
POSTMASTERS—	
120/9130. Cost of living bonus, Revenue Post Offices.....	22nd November, 1941.. 315
POST OFFICE SAVINGS BANK—	
8677. Amendments <i>re</i> deposits.....	7th November, 1941.. 278
RAIRIE FARM INCOME PAYMENTS—	
8126. Regulations.....	22nd October, 1941... 225
9199. Regulations amended.....	16th December, 1941.. 324
9200. Regulations amended.....	10th December, 1941.. 325
PRINTING—	
5357. Orders of War Loan Committees, etc., outside Printing Bureau.....	17th July, 1941..... 58
PRIORITIES—	
6655. Provision for deputy priorities officer.....	26th August, 1941.... 116
8487. Shipping Priorities Committee.....	31st October, 1941.... 247
PRISONERS OF WAR—	
4568. Regulations <i>re</i> internment.....	25th June, 1941..... 14
5246. Refugee camps, transfer.....	15th July, 1941..... 51
PROCLAMATIONS—	
Re-consecration week.....	27th August, 1941.... 128
State of War, Roumania, Hungary and Finland.....	7th December, 1941.. 344
State of War, Japan.....	8th December, 1941.. 350
Day of National Prayer.....	29th December, 1941.. 385
PUBLIC INFORMATION DIVISION—	
8488. Under National War Services.....	31st October, 1941.... 249
PUBLIC PRINTING AND STATIONERY ACT—	
5357. War Loan Committee, Victory Loan Committee, etc., exempt.....	17th July, 1941..... 58
PULP—	
9056. Boards, all kinds, export control.....	21st November, 1941.. 303
QUEBEC PROVINCE—	
9599. War Savings Certificates held by married women.....	31st December, 1941.. 351
RADIO TELEGRAPH OPERATORS—	
4806. Alien nationals.....	2nd July, 1941..... 26
RAGS AND WASTE OF ALL KINDS—	
10151. Export control.....	31st December, 1941.. 386
RAYON YARN—	
6932. Export control.....	2nd September, 1941.. 143
RE-CONSECRATION WEEK—	
Proclaimed.....	27th August, 1941.... 128
RE-CONSTRUCTION COMMITTEE—	
6874. Established.....	2nd September, 1941.. 141
RE-ESTABLISHMENT ORDER, POST DISCHARGE—	
7633. Established.....	1st October, 1941.... 184
REFUGEE CAMPS—	
4568. Established.....	25th June, 1941..... 14
5246. Transfer of prisoners of war.....	15th July, 1941..... 51
7398. Regulations amended.....	25th September, 1941.. 177
REGIONAL WAR LABOUR BOARDS—	
9514. Authorized.....	5th December, 1941.. 339
REHABILITATION GRANT—	
8880. Members C.W.A.C. eligible.....	18th November, 1941.. 283
RENTAL REGULATIONS—	
6701. Penalties.....	26th August, 1941.... 122
8965. Maximum, regulations.....	21st November, 1941.. 287
RETIREMENT FUND—	
20/7474. Conditions governing refund of contributions.....	23rd September, 1941.. 178
REVENUE POST OFFICES—	
120/9130. Cost of living bonus to postmasters.....	22nd November, 1941.. 315
ROUMANIA—	
9542. State of War declared.....	6th December, 1941.. 343
9543. Certificates, residents in Canada.....	23rd December, 1941.. 345

P.C. No.	PAGE
R.C.A.F.—	
4636. Ground mechanics training by Labour Department...	17
81/6379. Hospital allowances.....	96
68/6954. Deductions from pay and allowances.....	148
64/7474. Applicants—board and lodging.....	179
R.C.M.P.—	
6441. Security Control Officer, Halifax.....	108
9591. Registration members of Japanese race.....	348
9760. Re-registration members of Japanese race.....	359
RUBBER—	
6157. Control of export.....	88
7191. Fairmont Company Ltd., sole agents.....	165
8545. Amending regulations.....	268
RUSSIA—	
6388. Minister of Munitions and Supply agent for Union of Soviet Socialist Republics.....	99
ST. JOHN AMBULANCE ASSOCIATION—	
39/10066. Voluntary helpers, eligible Government Em- ployees Compensation Act.....	383
SALARIES ORDER, WARTIME—	
9298. Established.....	332
SALES TAX—	
9001. Building materials.....	295
SALMON—	
5631. Regulations (P.C.4373, June 17, 1941 revoked).....	65
6363. Prohibition of certain processing.....	94
SALT-WATER FISHERMEN—	
87/5204. Compensation and pension.....	48
SALVAGE DIVISION—	
8488. Under National War Services.....	249
SAVINGS BANK ACT—	
8677. Amendment re deposits.....	278
SCRAP AND SURPLUS ARTICLES—	
45/9130. Disposal by Minister of Munitions and Supply....	306
SECRET DOCUMENTS (NON-PUBLICATION) ORDER 1941—	
5135. Established.....	42
SECRETARY OF STATE—	
4568. Internment camps and stations.....	14
5246. Prisoners of war transfer Refugee Camps.....	51
7071. V... — refusal to register as Trade Mark.....	152
7342. Syria and Lebanon no longer proscribed territory.....	172
7343. Various Italian firms, declared enemies.....	173
7398. Refugee, treatment—regulations amended.....	177
9797. Enemy—definition.....	368
SECURITY CONTROL OFFICER—	
6441. Appointed Port of Halifax.....	108
SEED PRODUCTION PROGRAMME—	
1/4937. Continuation.....	29
SELLING PRICES—	
9889. Basis for valuation for duty purposes.....	375
SHIPS OF FOREIGN REGISTRY—	
9165. Canadian seamen, compensation or benefits.....	320
SILK—	
6124. Conservation.....	79
6932. Export control.....	143
SITKA SPRUCE—	
7519. Control of export.....	181
SKINS—	
4767. Maximum price and maximum markup.....	18
4768. License for dealers.....	19

P.C. No.	PAGE
SOUNDS—	
4801. Amendments <i>re</i> control.....	2nd July, 1941.....
10152. Amendments <i>re</i> control.....	31st December, 1941....
SOUTH AFRICA—	
6387. Minister of Munitions and Supply, agent.....	19th August, 1941....
SPHAGNUM PEAT MOSS—	
8025. Export control.....	17th October, 1941....
STAGGERED HOURS—	
9522. Civil Service.....	5th December, 1941..
STATIONERY—	
5357. Orders of War Loan Committees, etc., outside Printing Bureau.....	17th July, 1941.....
STEAMSHIP INSPECTION—	
6574. Certificates.....	26th August, 1941....
STEEL—	
7359. Regulations amended.....	20th September, 1941..
STENOGRAPHERS—	
95/9823. Certain classes eligible Dependents' or Marriage allowances, superannuation and pension allowances.	17th December, 1941..
STORAGE—	
9297. Munitions of war.....	27th November, 1941..
STOVES AND HEATING APPARATUS OF ALL KINDS—	
8118. Export control.....	20th October, 1941....
STRAW, ALL KINDS—	
6685. Export control.....	26th August, 1941....
STRIKES—	
5830. Procedure under Defence of Canada Regulations.....	29th July, 1941.....
7307. Vote—regulations governing.....	16th September, 1941..
8821. Vote—regulations amended.....	13th November, 1941..
SUB-CONTRACTS—	
9159. Recovery of excessive profits.....	26th November, 1941..
SUMMERFALLOW—	
9201. Definition <i>re</i> Wheat Acreage Reduction.....	27th November, 1941..
SUPPLIES—	
6391. Regulations respecting.....	19th August, 1941....
7174. Amending regulations.....	12th August, 1941....
7191. Rubber control.....	12th September, 1941..
8545. Rubber control, amendments.....	4th November, 1941..
8648. Cork, import permit.....	7th November, 1941..
9282. Amending regulations.....	27th November, 1941..
SYRIA—	
7342. No longer proscribed territory.....	20th September, 1941..
TANGERINES—	
8324. Exempt <i>re</i> War Exchange Conservation Act—.....	28th October, 1941....
TANNERS' FLESHING—	
6040. Control of export.....	8th August, 1941....
TAXES—	
77/9130. Members C.W.A.C. exempt Income and National Defence.....	22nd November, 1941..
TIMBER—	
6037. Regulations amended.....	8th August, 1941....
7222. Birch and maple, export control.....	12th September, 1941..
7360. Regulations amended.....	20th September, 1941..
7519. Sitka spruce, export control.....	25th September, 1941..
TIN—	
6554. Conservation <i>re</i> canned goods.....	26th August, 1941....
TIRES, WHITE WALL—	
5291. Importation banned.....	15th July, 1941.....
TONNAGE—	
5085. Amendments <i>re</i> control.....	8th July, 1941.....

P.C. No.

PAGE

TRADE AND COMMERCE—

5084. Export permits, P.C. 2448, April 8, 1941, amended.....	8th July, 1941.....	37
5085. Control of tonnage.....	8th July, 1941.....	37
5534. Men of military age, National Research Council.....	22nd July, 1941.....	64
5665. Wheat, sales and deliveries.....	26th July, 1941.....	67
5678. Vegetable and animal products, control of export.....	31st July, 1941.....	68
5679. Feed grains, control of export.....	29th July, 1941.....	69
5844. Wheat processing levy remitted.....	31st July, 1941.....	73
5924. Wheat, delivery and sales.....	5th August, 1941.....	74
6040. Bones, tanners' fleshings, control of export.....	8th August, 1941.....	79
6156. Wheat, processing levy.....	12th August, 1941.....	87
6157. Rubber manufacturers and semi-manufactures, control.....	12th August, 1941.....	88
6685. Certain articles—export control.....	26th August, 1941.....	119
6932. Certain articles—export control.....	2nd September, 1941.....	143
6951. Hogs—export control.....	2nd September, 1941.....	146
7222. Birch and maple lumber—export control.....	12th September, 1941..	167
7519. Sitka Spruce—export control.....	25th September, 1941..	181
7674. Articles listed—export control.....	4th September, 1941..	194
8025. Sphagnum peat moss, export control.....	17th October, 1941....	215
8118. Articles listed, export control.....	20th October, 1941....	223
8209. Articles listed, export control.....	22nd October, 1941....	227
8487. Shipping Priorities Committee.....	31st October, 1941....	247
8832. Wheat deliveries and sales, amendments.....	13th November, 1941..	282
9056. Articles listed—export control.....	21st November, 1941..	303
9128. Wheat deliveries, immediate payment.....	21st November, 1941..	305
9180. Furs and fur skins, export control.....	24th November, 1941..	323
9269. Advisory Committee on Export Control.....	27th November, 1941..	328
9932. Amendment Canadian Shipping Board, Transport Controller.....	23rd December, 1941..	378
9935. Articles listed—export control.....	23rd December, 1941..	379
9936. Processing levy on wheat.....	23rd December, 1941..	379
10151. Articles listed—export control.....	31st December, 9141..	386

TRADING WITH THE ENEMY—

7342. Syria and Lebanon no longer proscribed territory.....	20th September, 1941..	172
7343. Various Italian firms declared enemies.....	20th September, 1941..	173
9590. Japan—proscribed territory.....	7th December, 1941....	347
9797. Definition of "enemy".....	16th December, 1941..	368

TRAFFIC—

4801. Control—amendments.....	2nd July, 1941.....	23
6131. Regulations respecting transit.....	12th August, 1941....	81
50/6954. Accidents in United Kingdom.....	6th September, 1941..	147
10152. Control—amendments.....	31st December, 1941..	387

TRANSIT—

6131. Regulations.....	12th August, 1941....	81
9522. Staggered hours for Civil Service.....	5th December, 1941..	340

TRANSPORT—

4806. Alien national—radio telegraph operators.....	2nd July, 1941.....	26
87/5204. Salt-water fishermen, compensation and pension..	16th July, 1941.....	48
5581. Load Line Rules, non-passenger ships.....	24th July, 1941.....	64
85/5775. Trainees War Emergency—eligible Government Employees Compensation Act.....	30th July, 1941.....	70
6497. Load Line Rules—ships on other than lakes and rivers..	22nd August, 1941....	111
6574. Steamship inspection certificates.....	26th August, 1941....	116
6686. Canadian Merchant Navy Badge.....	26th August, 1941....	120
28/7474. Trainees various Government projects eligible Government Employees Compensation.....	23rd September, 1941..	178
7816. International Load Line Convention 1940, amended...	8th October, 1941....	200
83/7994. Pay and allowances, seamen manning pools.....	15th October, 1941....	215
8995. Certificates re Masters and Mates.....	18th November, 1941..	294
148/9130. Training of merchant seamen, programmes.....	22nd November, 1941..	315
149/9130. Manning pools, merchant seamen.....	22nd November, 1941..	317
9165. Canadian seamen on ships of foreign registry.....	26th November, 1941..	320
9166. Seamen's Identity Certificates, Regulations.....	26th November, 1941..	322

TRANSPORT CONTROLLER—

9932. Canadian Shipping Board.....	23rd December, 1941..	378
------------------------------------	-----------------------	-----

TRAVELLING EXPENSES—

10/6172. Employees in war industries.....	13th August, 1941....	88
---	-----------------------	----

P.C. No.	PAGE
TYPISTS—	
95/9823. Certain classes eligible dependents' or marriage allowance, superannuation allowance or pension.	17th December, 1941.. 370
VACCINATION—	
6375. Compulsory, Members of Armed Forces.....	19th August, 1941.... 95
"V" . . .	
7071. Refuse registration as Trade Mark.....	10th September, 1941.. 152
VANILLIN—	
9056. Export control.....	21st November, 1941.. 303
VEGETABLE PRODUCTS—	
5678. Control of export.....	31st July, 1941..... 68
9228. Dehydration.....	6th December, 1941.. 326
WAR CHARITIES DIVISION—	
8488. Under National War Services.....	31st October, 1941.... 249
WAR EMERGENCY TRAINING PROGRAMME—	
85/5775. Trainees eligible Government Employees Compensation Act.	30th July, 1941..... 70
9871. Specialized training <i>re</i> aircraft production.....	23rd December, 1941.. 374
WAR EXCHANGE CONSERVATION ACT 1940—	
5291. White wall tires added Schedule 1.....	15th July, 1941..... 56
8324. Mandarins and tangerines, exempt.....	28th October, 1941... 241
62/8400. Diamonds, Industrial, added Schedule 1.....	29th October, 1941... 244
9792. Glass, not plate or sheet, added Schedule 1.....	16th December, 1941.. 368
WAR SERVICE BADGE—	
7892. Description amended.....	11th October, 1941... 207
8493. Change in design.....	1st November, 1941.. 251
WARTIME INDUSTRIES CONTROL BOARD—	
6835. Regulations.....	29th August, 1941.... 135
7824. Amended.....	8th October, 1941... 202
8837. Chairman, member Wartime Prices and Trade Board.	13th November, 1941.. 282
WARTIME PRICES AND TRADE BOARD—	
4767. Maximum prices for hides, skins, leather.....	2nd July, 1941..... 18
4768. Licences—dealers in hides, skins, leather.....	2nd July, 1941..... 19
5157. Maximum prices feeds for cattle.....	10th July, 1941..... 44
19/6016. Dominion Fuel Board, duties, etc.....	6th August, 1941.... 75
6332. Transfer from Labour to Finance.....	14th August, 1941.... 93
6440. Penalties contravention of regulations.....	19th August, 1941.... 107
6701. Rental regulations, penalties.....	26th August, 1941.... 122
6834. Regulations respecting goods and services in time of war	28th August, 1941.... 129
7588. Movements of coal.....	1st October, 1941.... 182
8527. Maximum Prices regulations.....	1st November, 1941.. 254
8528. Regulations.....	1st November, 1941.. 257
8707. Wool Administrator, extension of powers and duties...	7th November, 1941.. 279
8762. Amendment—number of members.....	10th November, 1941.. 279
8818. Maximum prices regulations amended.....	11th November, 1941.. 281
8837. Regulations amended.....	13th November, 1941.. 282
8965. Maximum rentals regulations.....	21st November, 1941.. 287
9029. Wartime Leasehold regulations.....	21st November, 1941.. 297
9030. Regulations amended.....	19th November, 1941.. 302
9338. Regulations respecting oils, amended.....	2nd December, 1941.. 336
9870. Commodity Prices Stabilization Corporation.....	17th December, 1941.. 370
WARTIME SALARIES ORDER—	
9298. Established.....	27th November, 1941.. 332
WARTIME WAGES AND COST OF LIVING BONUS—	
8253. Established.....	24th October, 1941... 228
10195. Amendment.....	31st December, 1941.. 389
WARTIME WAGES POLICY—	
9272. Investigations and inquiries.....	27th November, 1941.. 329
WAR VETERANS' ALLOWANCE BOARD—	
113/9400. Supplementary allowance.....	3rd December, 1941.. 337
WASTE PAPER—	
8209. Export control.....	22nd October, 1941... 227

	PAGE	
P.C. No.		
WHEAT—		
5665. Deliveries and sale, amendments.....	26th July, 1941.....	67
5844. Processing levy remitted.....	31st July, 1941.....	73
5924. Deliveries and sales, amendments.....	5th August, 1941.....	74
6156. Processing levy.....	12th August, 1941.....	87
8832. Deliveries and sales, amendments.....	13th November, 1941.....	282
9128. Deliveries—immediate payment.....	21st November, 1941.....	305
9201. "Summerfallow"—definition.....	27th November, 1941.....	325
9936. Processing levy.....	23rd December, 1941.....	379
WOMEN—		
4798. C.W.A.A.F. formation.....	2nd July, 1941.....	22
6289. C.W.A.C. formation.....	13th August, 1941.....	92
3/7635. C.W.A.A.F. pay and allowances.....	1st October, 1941.....	190
4/7635. Pension allowances.....	1st October, 1941.....	191
112/7841. Air Force Act applicable C.W.A.A.F.....	9th October, 1941.....	205
49/8817. C.W.A.C. eligible Civil Employment Re-instatement Order.....	11th November, 1941.....	280
8880. C.W.A.C. eligible Rehabilitation Grant.....	18th November, 1941.....	283
77/9130. C.W.A.C. exempt Income and National Defence taxes.....	22nd November, 1941.....	308
9599. War Savings Certificates held by married woman, Quebec Province.....	31st December, 1941.....	351
WOMEN'S VOLUNTARY SERVICES DIVISION—		
8488. Under National War Services.....	31st October, 1941.....	249
WOOL—		
8707. Extension powers and duties administrator.....	7th November, 1941.....	279

Cancellations, Amendments and References

ORDERS IN COUNCIL PASSED BETWEEN 1ST JULY, 1941, AND 30TH DECEMBER, 1941

Subject	Original Order in Council		Cancelling, Amending or Referring Orders in Council (c = cancelling; a = amending; r = referring)		
Apples, Okanagan Valley.....	1/4600	25th June, 1941.....	5521	22nd July	1941 (r)
			5/6379	19th Aug.,	1941 (a)
			7475	25th Sept.,	1941 (a)
	4493	7th Sept., 1940.....	2/8119	20th Oct.,	1941 (a)
	1280	20th Feb., 1941.....	6989	5th Sept.,	1941 (a)
			7115	10th Sept.,	1941 (r)
			7126	10th Sept.,	1941 (r)
Awards, decorations, armed forces....	1430	9th April, 1940.....	8882	18th Nov.,	1941 (c)
Canadian Shipping Board.....	4251	20th Dec., 1939.....	9932	23rd Dec.,	1941 (a)
C.W.A.A.F.....	4798	2nd July, 1941.....	3/7635	1st Oct.,	1941 (r)
			4/7635	1st Oct.,	1941 (r)
			112/7841	9th Oct.,	1941 (r)
Censorship Co-ordination.....	2513	3rd Sept., 1939.....	6571	26th Aug.,	1941 (c)
Chinese Immigration.....	7722	31st Dec., 1940.....	10160	31st Dec.,	1941 (c)
Civil Servants on Active Service.....	2584	7th Sept., 1939.....	84/5484	23rd July,	1941 (a)
			13/8600	5th Nov.,	1941 (a)
Claims against the Crown.....	29/2544	11th April, 1941.....	50/6954	16th Sept.,	1941 (r)
			32/8400	29th Oct.,	1941 (r)
			40/8600	5th Nov.,	1941 (r)
	80/1045	19th Mar., 1940.....	52/8600	5th Nov.,	1941 (r)
	11/3550	19th May, 1941.....	59/7305	17th Sept.,	1941 (r)
			52/8600	5th Nov.,	1941 (a)
Control of lights, sounds and traffic...	3962	2nd June, 1941.....	4801	2nd July,	1941 (c)
Cost of living bonus (see Wartime Wage Policy).					
Customs duty.....	124/4274	28th Aug., 1940.....	56/5484	23rd July,	1941 (c)
	57/6885	26th Nov., 1940.....	57/8600	5th Nov.,	1941 (c)
	56/5484	23rd July, 1941.....	1/8255	24th Oct.,	1941 (r)
Dairy Products.....	2138	23rd May, 1940.....	5827	29th July,	1941 (a)
Defence Air Regulations.....	1890	9th May, 1940.....	10200	31st Dec.,	1941 (a)
Defence of Canada Regulations.....	4750	12th Sept., 1940.....	4801	2nd July,	1941 (a)
			5085	8th July,	1941 (a)
			5247	15th July,	1941 (a)
			5295	15th July,	1941 (c)
Demobilization Committee.....	1218	17th Feb., 1941.....	6874	2nd Sept.,	1941 (r)
Dominion Fuel Board.....	27/4600	25th June, 1941.....	19/6016	6th Aug.,	1941 (c)
	19/6016	6th Aug., 1941.....	7082	10th Sept.,	1941 (a)
Employees under War Measures.....	1/1569	19th April, 1940.....	20/7474	23rd Sept.,	1941 (a)
Enemy Aliens.....	2521	4th Sept., 1939.....	4568	25th June,	1941 (c)
Estates, Naval, Military and Air....	1065	19th Mar., 1940.....	4770	2nd July,	1941 (a)
Export—articles <i>re</i> munitions of war...	4366	17th June, 1941.....	5678	31st July	1941 (a)
			6040	8th Aug.,	1941 (a)
			6157	12th Aug.,	1941 (a)
			6685	26th Aug.,	1941 (a)
			6932	2nd Sept.,	1941 (a)
			6951	2nd Sept.,	1941 (a)
			7222	12th Sept.,	1941 (a)
			7519	25th Sept.,	1941 (a)
			7674	4th Oct.,	1941 (c)

ORDERS IN COUNCIL PASSED BETWEEN 1ST JULY, 1941, AND 30TH DECEMBER, 1941

Subject	Original Order in Council	Cancelling, Amending or Referring Orders in Council (c = cancelling; a = amending; r = referring)
Export control.....	4366 17th June, 1941.....	5678 31st July, 1941 (a) 6040 8th Aug., 1941 (a) 6157 12th Aug., 1941 (a) 6685 26th Aug., 1941 (a) 6932 2nd Sept., 1941 (a) 6951 2nd Sept., 1941 (a) 7222 12th Sept., 1941 (a) 7519 25th Sept., 1941 (a) 7674 4th Oct., 1941 (c)
Export Permit Branch.....	2448 8th April, 1941.....	49 96 10th July, 1941 (a) 5084 8th July, 1941 (a) 5679 29th July, 1941 (a) 6391 19th Aug., 1941 (a) 9231 27th Nov., 1941 (r) 9269 27th Nov., 1941 (r)
Fairmont Co. Ltd.....	7191 12th Sept., 1941.....	8545 4th Nov., 1941 (a)
Fishermen, salt-water, compensation.....	3358 10th Nov., 1939.....	87/5204 16th July, 1941 (a)
Fishermen, salt-water, pensions.....	12/4209 12th June, 1941.....	9165 26th Nov., 1941 (r) 87/5204 16th July, 1941 (a)
Flour and feeds.....	3359 10th Nov., 1939.....	87/5204 16th July, 1941 (a) 9165 26th Nov., 1941 (r)
Foreign Forces.....	10/4209 12th June, 1941.....	87/5204 16th July, 1941 (a)
Freight on Western grains.....	8097 22nd Oct., 1941.....	8671 7th Nov., 1941 (a)
Herring, canned.....	22/2544 11th April, 1941.....	22/6172 13th Aug., 1941 (a)
Industrial Disputes Inquiry Commission.....	7523 25th Sept., 1941.....	8067 20th Oct., 1941 (c)
Strikes.....	8067 20th Oct., 1941.....	8396 28th Oct., 1941 (c)
Inspection Board of the United Kingdom and Canada.....	8396 28th Oct., 1941.....	8989 18th Nov., 1941 (r)
Lights.....	6950 2nd Sept., 1941.....	8529 4th Nov., 1941 (a)
Machine Tools.....	4020 6th June, 1941.....	4844 2nd July, 1941 (a)
Manning Tools.....	3495 7th Nov., 1939.....	7068 10th Sept., 1941 (a)
Masters and Mates, certificates.....	7307 16th Sept., 1941.....	1708 10th Mar., 1941 (a)
Merchant Seamen Order.....	14/3550 19th May, 1941.....	7307 16th Sept., 1941 (r) 8253 24th Oct., 1941 (r)
Metals.....	4101 22nd Aug., 1940.....	8821 13th Nov., 1941 (a)
Military age, men of.....	5995 26th Oct., 1940.....	6297 15th Aug., 1941 (a)
Minimum Price Regulations.....	2521 4th Sept., 1939.....	4568 25th June, 1941 (c)
Military age, men of.....	3962 2nd June, 1941.....	4801 2nd July, 1941 (c)
Minimum wage rates—contracts.....	14/3550 19th May, 1941.....	7357 20th Sept., 1941 (a)
Military age, men of.....	4306 17th June, 1941.....	7891 11th Oct., 1941 (r)
Military age, men of.....	8527 1st Nov., 1941.....	148/9130 22nd Nov., 1941 (r)
Military age, men of.....	2385 4th April, 1941.....	149/9130 22nd Nov., 1941 (r)
Metals.....	3187 15th July, 1940.....	7358 20th Sept., 1941 (a)
Military age, men of.....	4759 27th June, 1941.....	5534 22nd July, 1941 (r)
Minimum wage rates—contracts.....	3884 30th May, 1941.....	7986 15th Oct., 1941 (r)
		7679 4th Oct., 1941 (c)

ORDERS IN COUNCIL PASSED BETWEEN 1ST JULY, 1941, AND 30TH DECEMBER, 1941

Subject	Original Order in Council	Cancelled, Amending or Referring Orders in Council (c = cancelling; a = amending; r = referring)
Motor Vehicles, control.....	1121 13th Feb., 1941.....	9973 23rd Dec., 1941 (a)
National War Services Regulations 1940 (recruits).	1822 18th Mar., 1941.....	7680 4th Oct., 1941 (a) 8406 31st Oct., 1941 (a)
National War Services Dept. Divisions	4748 13th Sept., 1940.....	8488 31st Oct., 1941 (c)
Oil—Regulations.....	5468 9th Oct., 1940.....	9338 2nd Dec., 1941 (a)
Prairie Farm Income Payments.....	8126 22nd Oct., 1941.....	9199 16th Dec., 1941 (a) 9200 10th Dec., 1941 (a)
Priorities.....	1169 20th Feb., 1941..... 3481 16th May, 1941.....	6655 26th Aug., 1941 (a) 6656 26th Aug., 1941 (a)
Prisoners of War.....	4121 13th Dec., 1939..... 5246 15th July, 1941.....	5246 15th July, 1941 (r) 7398 25th Sept., 1941 (a)
Rentals.....	4616 11th Sept., 1940.....	6701 26th Aug., 1941 (r) 9029 21st Nov., 1941 (c)
Rubber Supply.....	7191 12th Sept., 1941.....	8545 4th Nov., 1941 (a)
Salmon, canned.....	4373 17th June, 1941.....	5631 26th July, 1941 (c)
Sounds.....	3962 2nd June, 1941.....	4801 2nd July, 1941 (c)
Steel.....	2742 24th June, 1940.....	7359 20th Sept., 1941 (a)
Supplies.....	6391 19th Aug., 1941.....	7174 12th Sept., 1941 (a) 9282 27th Nov., 1941 (a)
Timber.....	2716 24th June, 1940.....	6037 8th Aug., 1941 (a) 7360 20th Sept., 1941 (a)
Trading with the Enemy.....	3959 21st Aug., 1940..... 5353 3rd Oct., 1940.....	9590 7th Dec., 1941 (r) 9797 16th Dec., 1941 (a)
Traffic, control accidents.....	3962 2nd June, 1941..... 50/6954 6th Sept., 1941.....	4801 2nd July, 1941 (c) 40/8600 5th Nov., 1941 (r)
War Service Badges.....	1022 29th Mar., 1940.....	7892 11th Oct., 1941 (a) 8493 1st Nov., 1941 (a)
Wartime Industries Control Board established.	2715 24th June, 1940.....	6835 29th Aug., 1941 (a)
Wartime Industries Control Board Regulations.	6835 29th Aug., 1941.....	7824 8th Oct., 1941 (a)
Wartime Prices and Trade Regulations	3998 5th Dec., 1939.....	6332 14th Aug., 1941 (a) 6440 19th Aug., 1941 (a) 6701 26th Aug., 1941 (r) 6834 28th Aug., 1941 (c) 8528 1st Nov., 1941 (c) 8762 10th Nov., 1941 (a) 8837 13th Nov., 1941 (a) 9030 19th Nov., 1941 (a)
Wartime Wage Policy.....	7440 16th Dec., 1940..... 8253 24th Oct., 1941.....	6702 26th Aug., 1941 (r) 8253 24th Oct., 1941 (c) 9272 27th Nov., 1941 (r) 9298 27th Nov., 1941 (r) 9514 5th Dec., 1941 (a) 9926 31st Dec., 1941 (a) 10195 31st Dec., 1941 (a)
Wheat Acreage Reduction.....	3047 30th April, 1941.....	3231 10th May, 1941 (a) 9201 27th Dec., 1941 (a)
Wheat deliveries and sales.....	3849 30th May, 1941.....	5665 26th July, 1941 (a) 5924 5th Aug., 1941 (a) 8832 13th Nov., 1941 (a)

Reference Index Covering Contents of Volumes 1 to 5

(NOTE: Numerals in brackets indicate volume; other numerals indicate page.)

- Administrators
wool, 89 (1); sugar, 95 (1);
hides and leather, 117 (1); coal, 132 (1);
oils, 115 (3)
- Advertising 74 (5)
- Aerodromes, 180 (1), 14 (4)
- Africa—
residents 28 (3); permits for exports 39 (3)
- Agricultural Supplies—
Committee, 51 (1);
Board, 36 (2); export control of products, 68 (5)
- Air Cadet Corps, regulations 149 (3)
- Aircraft—
transfer 49 (1); payment for U.K. 182 (1);
control 195 (1) 55 (2); defence
regulations, 83 (2) 84 (3); production, 374 (5);
detention, 142 (3); remission
of taxes, 125 (4); prohibited areas, 29, 53 (4)
- Airports—
zoning regulations, 193 (1), 14 (4)
- Air Raid Precautions, 157, 390 (5)
- Alienage,—privilege of declaring, 164 (3)
- Aliens—
naturalization, 122 (1); enemies, internment,
41, 54 (1);
entry, 59 (1); tribunals, 93, 192 (1); fire arms, etc.,
123 (1) 17, 111 (2) 111 (3); registration, 28,
157, 175 (1); Prisoners of War, 218 (1); enemy
property, 107 (2); radio certificates, 26 (5);
Alien Nationals—
Masters or Officers, British Ships, 119 (3)
- Alternative training, service or work, 166 (4)
- Aluminum—
regulations, 118 (3)
- Ammunition—
use or possession, 123, 174 (1) 17, 29, 111 (2)
control 11 (3) 191 (4)
- Annuities—
discontinued on Active Service, 82 (2)
- Apples—
agreement N.S. and B.C., 97, 142, 158, 226 (1) 70,
96 (2), 47, 73 (3), 55, 188 (4); 60, 96, 154, (5).
Ontario, 111 (1); B.C. Fruit Board, 77 (3); 180, 224,
(5)
- Applicant for Enlistment, 208 (5)
- Army, Canadian—
designation Military Forces, 148 (3)
- Ascorbic Acid, 227 (5)
- Atlantic—
permits for export, 39 (3)
- Automobile—
import second hand, 13 (4); export control, 386 (5)
- Auxiliary Services—
pensions *re* injury or death, 186 (4)
- Bacon—
Board, 213, 221, 226 (1), 152 (4)
borated, 117 (4); export, 120 (4)
- Badges—War Service—
regulations, 39 (2), 158 (3), 207, 208, 251, (5)
- Bananas—
importation, 26 (4)
- Belgium—
purchases, 28 (4); National Defence act as agent,
110 (4), 90 (5)
resources in Canada, 86 (2)
- “Bergholm”—
licence, 88 (4)
- Birch, 167, 303 (5)
- Bones, 79 (5)
- Bread—
maximum selling price, 38 (3)
- British Columbia—
apple agreements, 97, 158 (1), 73, 77 (3), 188 (4);
prohibited area, 391 (5); coal 182 (5); feed
grains, 293 (5)
- British Commonwealth Air Training Plan—
Civilian employees, 194 (4)
- British Preferential Tariff Rates—
goods transhipped at foreign port, 17 (4)
- British Purchasing Mission—
War Supply Board agent, 114 (1)
- Buildings—
erection, 143, 153, 180 (4); supplies, tax, 295 (5)
- Bulgaria—
proscribed territory, 60 (4)
- Butter—
fix price, 143 (3); 134 (4); sale and export, 12 (4)
- Calcium Carbide, 143, 303 (5)
- Calves' stomachs—
export prohibited, 13 (2)
- Canadian Active Service—
financial regulations, 13, 210 (1);
name changed, 32 (1), hospitalization, 118, 120,
201 (1); 118 (4);
free postage, 220 (1)
- Canadian Army—
designation, 148 (3)
- Canadian Broadcasting Corporation—
transfer Transport, 18 (3); Radio Act, duties,
26 (3);
trans. National War Services, 177 (4)
- Canadian Claims Commission (Overseas)—
duties, 111 (4)
- Canadian National Railway—
equipment *re* abnormal traffic, 127 (1)
- Canadian Naval Service—
see under Royal Canadian Navy
- Canadian Pacific Railway—
equipment *re* abnormal traffic, 127 (1)
- Canadian Pension Commission—
pension regulations, 30 (1); civilian employees,
185 (4);
Members, Auxiliary Services, 186 (4); pension
regulations, 99 (3)
- Canadian Publishers War Finance Publicity Com-
mittee, 74 (5)
- Canadian Red Cross, 383 (5)
- Canadian salt-water fishermen—
compensation for loss, 160 (1), 132 (4), 48 (5);
medical care, 169 (1); pensions, 162 (1);
172 (4); 48 (5);
capture or internment, 175 (4)
- Canadian Shipping—
Board, 221, 228 (1), 19 (2), 378 (5); control, 12,
42 (1), 55 (2)
- Certificates, 135 (2); 11, 23, 178, 179 (4); acquisi-
tion of ships, 49 (2);
discipline, 44 (1); 79 (4); equipment, 49 (2);
79 (3); 31 (4);
capture German ships, 54 (1); stiffening, 171 (1);
requisitioning, 185 (1); 33 (3); privileges, 72, 101,
(3);
navigation St. Lawrence, 113 (3); alien seamen,
91 (3);
alien nationals, 119 (3); detention, 142 (3); prize,
145 (3);
pensions, 172 (4)

REFERENCE INDEX—*Con.*

- Canadian Travel Bureau—
transfer, 177 (4)
- Canadian Tribune—
publication, 57 (4)
- Canadian Wheat Board—
flour, maximum price, 38 (3); licences *re* storage, 65 (3); levy, 73, 87, 379 (5);
deliveries and sales, 138, 158 (4), 67, 74, 232 (5)
- Canadian Women's Army Corps, 92, 191, 283, 308 (5)
- Canadian Women's Auxiliary Air Force, 22, 190, 191, 205 (5)
- Canteen Funds—
committee, 178 (3); investment of profits, 32 (4);
sale of kitchen by-products, 68 (4); custodians, 306 (5);
- Casa D'Italia, 173 (5)
- Censorship—
regulations, 21, 33 (1); circulation of prohibited matter, 32, 45 (1);
postal, 35 (1); co-ordination Committee, 39 (1); 115 (5);
operations—radio and telephone, 45 (1); Halifax, 183 (1);
various Orders in Council revoked, 18 (2)
- Certificates—
temporary, 11 (4); Master's Mates or Engineers, 178 (4); competency, 23, 179 (4)
- Cheese—
manufacture, 19 (4); agreements U.K., 155 (4).
- Chemicals, 31, 277 (5)
- Children—
entering war zone, 110 (2)
- Children evacuated—
Board, 15, 45 (3); clerical assistance, 62 (4)
- China, 327 (5)
- Chinese Immigration Act—
return to Canada, 183 (3); 388 (5)
- Chrome Ore—
permit to export, 132 (3)
- Civil Aircraft—
regulations for control, 195 (1)
- Civil Air Raid Precautions, 157, 390 (5)
- Civil Employment—
re-instatement, 203 (4), 280 (5)
- Civil Service—
retaining services, 39, 43 (1); leave, 46 (1), 54 (3), 171 (4), 59, 272, (5); insurance, 129 (1), 139 (4); employees, war emergency, 68 (2), 30 (5)
permanent, 83 (2), 187 (4); casual positions, 89 (2); temporary on active service, 171 (4);
military age, 206 (4)
- staggered hours, 340 (5); superannuation 178 (5);
gratuities, 27 (5); dependent's allowances, 370 (5);
preference ex service men, 267 (5)
- Civilian employees—
injury on death outside Canada, 185 (4)
- Claims, civilian—
C.A.S.F. and R.C.A.F. in United Kingdom, 104 (3); 111 (4); Iceland, Newfoundland, West Indies 159 (3); R.C.A.F., 122 (4)
- Naval Forces, 149 (4)
- Clarion*—
publication, 184 (1)
- Clarke*—
publication, 121 (1)
- Coal—
administrator, 132 (1); licences, 167 (1); mining—
essential service, 170 (4); assistance, 182 (5)
- Codeine—
use and sale, 57, 141, 180 (1); 67 (2)
- Cod, livers and cod liver oil
licence to export, 65 (2)
- Coke—
administrator, 132 (1); licenses, 167 (1)
- Commodity Prices Stabilization Committee 370 (5)
- Communicable diseases—
treatment, 108 (3)
- Compensation—
loss, 160 (1), 132 (4)
- Conscientious objectors—
alternative training, service or work, 166 (4)
- Contracts—
amounts, 76 (5); regulations, Defence Purchasing Board, 72 (1); aerodromes, 90 (2); Industrial Disputes Investigation Act, 170 (1), 141 (3), 63 (4), 21 (5); Depreciation Board, 65 (3); definition, 165 (3); profits, 319 (5)
- Contraband of war—
certain articles, 34 (2)
- Construction, 118 (5)
- Cork, 276 (5)
- Cost of living bonus—
regulations, 175 (3); 195 (4); 124, 170, 228, 315, 389, (5)
- Cotton yarns, 143, (5)
- Creston District—
wheat acreage—payments, 155 (4)
- Custodian's office—
enemy resources Canada, 86 (2); 28 (3); property of illegal organizations, 124 (2); Income Tax returns, 31 (3)
- Customs duty—
munitions of war, 26, 27 (2), 120, 162 (3), 106 (4); 59, 180, 214, 234, 275, (5); aircraft, 41 (2) material, etc., French Purchasing Commission, 64 (2); linen yarns, 66 (2); selling prices 124 (4); wool, 13, 30, 51 (2)
- Czechoslovakia—
proscribed territory, 83 (4); Dept. of National Defence, agent 110 (4), 90, (5)
- Dairy Products—
calves' stomachs, 13 (2); regulations, marketing and export, 91 (2) 134 (4); butter, sale and export, 12, 134 (4); cheese 19, 155 (4); rennet, export, 96 (2); shipment between Provinces, 68 (4); licences, 70 (5)
- Danish Ships—
prize proceedings, 71 (2); disposal, 104 (2)
- Day of Prayer—
proclamation, 105 (1), 64, 184 (4), 384, 385 (5)
- Daylight saving time—
Ontario and Quebec, 95 (3)
- Decorations—
recommendations re awards, 52 (2), 240, (5)
- Defence Air regulations—
see under Aircraft
- Defence of Canada Regulations—
regulations, 27 (1); aircraft and ships, 49 (1); 55 (2), 33, 72, 142 (3), 31 (4), 37, 357 (5); enemy aliens, 93 (1); 17, 107 (2), 345, 348 (5); prejudicial statements, 106 (1); essential services 115 (1), 144 (3), 170 (4); censorship 18 (2); senior police officers, 116 (1), 71 (3); penalties, 136 (1), 101 (3); interned aliens, 192 (1), 37, 134 (3); subversive activities, 9, 12, 108 (2); firearms, 111 (2), 111 (3); illegal organizations, 118, 124, 125 (2); inventions, designs, etc., 135 (3); homing pigeons, 20 (4); trespassing, etc., 27 (4); lights sound and traffic 163 (4), 23, 369, 387 (5); consolidation, 90 (3), 199 (4), 57 (5); hostile attack, 376 (5); photography, 212 (5); strikes, 71 (5).
- Defence Production, 245 (5)
- Defence Purchasing Board—
contracts, 72 (1); regulations, 109, 128 (1); War Supply Board, 157 (1)
- Dehydration of vegetables, 326 (5)
- Demobilization—
committee, 212 (1), 113 (3), 48 (4)
- Dental Corps, 304 (5)
- Dependents' Allowance—
interests Naval Service, 14 (2); officials to administer oath, 101 (3); Amendments, 352, 353, (5)
- Depreciation—
war contracts, 65 (3); definition, 165 (3)
- Deserters from Permanent Force—
re pardon, re-enlistment, 126 (1)

REFERENCE INDEX—*Con.*

- Designs—**
protection, 135, 163 (3); regulations, 164 (1); 38
74 (4)
- Diamonds, industrial**
permit 132 (3), 000, (5)
- Discharge Re-establishment Order, 184 (5)**
Dodder, 81 (3)
- Dominion Fuel Board** 192 (4); 75, 153 (5)
- Douglas fir sawlogs—**
export prohibited 166 (3)
- Doukhobors—**
military training 100 (3), 166 (4)
- Drawback claims**, 45, 47 (5)
- Droite, la**—publication 131 (4)
- Drugs use and sale**, 57, 141, 180 (1)
- Dumping duties**, 375 (5)
- Dynamite—**
use or possession 123, 174 (1)
- Economic Advisory Committee**
established 71 (1), 13 (5)
- Eggs—**
export 99 (4); storage 119 (4); oil dipped, 346 (5)
- Electricity—**
sales tax 94 (1)
- Employment re munitions, etc.—**
war contracts, 170 (1), 141 (3), 194 (4); war conditions, 126 (2), 175 (3), 195 (4); labour supply 128 (2)
- Enemy Aliens**—see under aliens
- Enemy trading with**—see under Trading
- Essential Services**
definition 144 (3); coal mining 170 (4); loitering etc. 27 (4)
- Droite, la**—publication B1 (4)
- Estates, Naval, Military and Air Force procedure**, 42 (2), 170 (3), 19 (5)
- "Europa"** see under Danish Ships
- Europe—**
Residents of French Territory, 28 (3)
- Exchange Fund Order—**
authorized 75 (2)
- Excise tax**—see under Customs
- Explosions—**
loss or damage 70 (4)
- Explosives—**
certificates, 17 (2); control, 11 (3); 191 (4); sale, 29 (2); possession, 111 (2)
- Exports—**
articles listed 91 (1), 132 (3), 37, 63, 69, 79, 194, 303 (5); African and Atlantic possessions of certain countries 39 (3); chum salmon, 118 (1); Douglas fir, 166 (3); fertilizers, 134, 179 (1); fibre flax seed, 172 (1); permit licence, 119 (4), 37 (5)
- Export Permit Branch—**
established, 84 (4); amended schedule, 181 (4), 328 (5)
- Fair Wages and Hours of Labour Act, 1935—**
labour, National Defence projects, 52 (3); obstruction, 62 (5)
- Fairmont Company, Ltd.**, 165, 268 (5)
- Feed Grains—**
export, 69 (5); freight, 181, 216, 241, 293, (5); regulations, 218, 276 (5)
- Fertilizers—**
licence, 179 (1); manufacture and export, 134 (1)
- Fibre Flax Seed—**
licences, 172 (1), 80 (3); eradication of dodder, 81 (3); freight, 155 (1); purchase and sale, 113 (1), 182 (3)
- Finance—**
financial commitments, 150 (3); War Exchange Conservation Act, price control 174 (3); sterling area, 115 (4); importation, 26 (4); War Savings Certificates, 14, 130 (3), 61 (4), 351 (5)
- Financial Commitments—**
expenditures, war purposes, 150 (3)
- Finland**, 343, 344, 345 (5)
- Finnish Society—**
illegal organization, 49 (4)
- Firearms—**
enemy aliens, 123, 174 (1); 111 (2); disposal re seizure, 111 (3); exemption certificates, 17 (2)
- Fish—**
chum salmon, 118 (1); frozen fish, 21 (2); herring, 144, 266 (5); canned salmon, 182 (4); 65, 94 (5); lobster, 71, 115, 117, 121 (2); 96 (4); livers, oils, etc., 124 (2); Norwegian vessels, 88, 136 (4); 91 (5)
- Fishermen, salt water—**
compensation, 160 (1), 48 (5); capture or internment, 175 (4); medical care, 169 (1); pensions, 162 (1), 172 (4), 48 (5)
- Fishing Vessels, West Coast**, 367 (5)
- Flax fibre**, 269 (5)
- Flax straw**, 290 (5)
- Flour—**
Maximum selling prices, 38 (3); regulations, 218, 276 (5)
- Foodstuffs—**
disposal, 92 (3)
- Foreign Exchange Control—**
Board, 74 (1); foreign securities, 96 (1); Acquisition Order, 77 (2); Exchange Fund, 73 (1); 75 (2); commercial transactions, 148, 187; 195 (1); export-import licences, 168 (1); foreign currency, 211 (1); gifts, 190 (1); Income Tax returns, 31 (3)
- Foreign Powers having Forces in Canada—**
National Defence, agent, 110 (4)
- Fox Furs or Skins—**
import, 22, 33 (2)
- Freight—**
payments Western grain, 18 (4); 181, 216, 241 (5)
- French Purchasing Commission—**
materials and equipment, 64 (2)
- French ships—**
requisitioned, 33 (3)
- French Somaliland—**
proscribed territory, 161 (4)
- French Territory—**
resources in Canada, 28 (3)
- Furniture**, 223 (5)
- Furs and Fur Skins**, import 22, 23 (2); export 323 (5)
- Gas—**
regulations sales tax, 94 (1)
- George Cross and George Medal—**
award, 142 (4); 284 (5)
- German origin, British Subjects of—**
registration, 137 (3)
- German Reich—**
State of War, 52 (1); capture of ships, 54 (1);
- Glass—**
not plate or sheet, 368 (5)
- Glycerophosphoric Acid**, 227 (5)
- Government Employees Compensation Act—**
benefits, U.K. agencies, 54 (4); employees in U.S.A., 165 (4); trainees, 70, 178 (5); voluntary, 383 (5)
trainees, War Emergency Training, 190 (4), 70 (5)
- Government Notices—**
bread and wheat flour, 38 (3); Foreign Exchange, 148, 168, 190, 211 (1); illegal organization, 49 (4); protected places, 61 (3); publications suspended, 122, 184 (1); 140, 46 (2); 32 (3); 57, 131, 187 (4); Tribunals, internees, 93 (1)
- Government Vessels, Discipline Act—**
Non-application Naval Services, 44 (1)
- Government War Contracts—**
Industrial Disputes Investigation Act, 170 (1); 126 (2); 141, 175 (3); 63 (4)
- Grain Elevators—**
weighover, 103 (3); insurance, 83 (4)

REFERENCE INDEX—*Con.*

- Grains—**
freight, 18 (4); permit to export, 59 (4); quota for Ontario, 147 (4)
- Gratuities**, 27 (5)
- Greece**, 52 (4)
- Grey fish**, 303 (5)
- Ground mechanics**, 17 (5)
- Halifax**—
censorship, 183 (1); convoy—exempt from pilotage dues, 31 (2); Security Control officer 108 (5)
- Hay**—
export, 119 (5)
- Herring, Canned**, 144, 266 (5)
- Hides and Leather**—
sale, export, 117 (1) 18, 19 (5)
- Has L'Udu*—
illegal publication, 140 (2)
- Hogs**—
export, 146 (5)
- Hospital allowances**, 96 (5)
- Hospitalization**—
members Armed Forces, 118, 120, 201 (1), 118 (4); discipline, 201 (1); salt water fishermen, 169 (1); communicable diseases, 108, 127 (3)
- Household Machinery**, 223 (5)
- Human Resources**—
Division of National War Services, 88 (3)
- Hungary**—
proscribed territory, 61 (4), 343 (5); certificates, 345 (5)
- Iceland**—
Civilian claims, 159 (3)
- Identity Certificates**, 322 (5)
- Imports**—
drawback, 47 (5); Japan, 177 (5); cork, 276 (5); chemicals, 277 (5); glass, 368 (5); China, 327 (5)
- Income Tax Returns**—
information, 31 (3)
- India**—
purchases by Munitions and Supply, 170 (4)
- Industrial Disputes Investigation Act**—
application war contracts, 170 (1), 126 (2); 141, 175 (3); strikes, etc., 169 (4); definition, "munitions", "Supplies of War", 63 (4); skilled and scarce trades, 194 (4); amendments, 28, 151 (5)
- Inspection**—
Board of the United Kingdom and Canada, 133 (3), 75 (4), 92 (5)
- Insurance**—
grain elevators, 83 (4); Civil Service, 129 (1); 139 (4); war risks, 34 (1)
- Inter-departmental Committee**—
labour co-ordination, 128 (3)
- Inter Government Inspection Board**—
inspection service, 133 (3); 75 (4)
- International Load Line Convention**, 200 (5)
- Internment**—
manner prejudicial to State 37 (3); persons not eligible public office 134 (3); camps, 14 (5)
- Inventions**—
Board 15 (2); provisions 135 (3)
- Investigators**—contracts for munitions, 21 (5)
- Irrigated lands**, 325 (5)
- Iron and Steel**—
permit to export 132 (3)
- Italy**—
state of war 114 (2); commerce 122 (2); registration of Italian origin 137 (3)
- Japan**—
goods, 177 (5); war declared, 349 (5); registration, 348, 359 (5), fishing vessels 367 (5)
- Jiskra*—
publication prohibited 32 (3)
- Justice of Peace**—
definition 108 (2)
- "Kaare 2"—Norwegian fishing vessel—
licence 88 (4)
- Kanadsky Gudok**—
publication prohibited 46 (2)
- Labour**—
civil employment re-instatement 203 (4); cost of living bonus 175 (3), 195 (4), 228, 389 (5); war conditions 170 (1), 126 (2), 141, 175 (3); 63 (4); National Labour Supply Council, 128 (2); wage policy, 175 (3), 329, (5); Inter-departmental Committee 128 (3); longshoremen, 22 (4); Wartime Bureau of Technical Personnel 23 (4); minimum wage rates 162 (4); Industrial Disputes Inquiry Commission 169 (4), 151 (5); trainees 190 (4), 70, (5); skilled and scarce trades 194 (4); obstructions, 62, (5); strike vote 171 (5)
- National War Labour Board, 339, 377 (5); Wartime wages and Cost of living bonus, 228, 389 (5)
- Labour Co-ordination**—
Inter-departmental Committee, 128 (3)
- Leasehold Rights**, wartime, 297 (5)
- Leather**—
regulations 117 (1); 18 (5); licence to export 17 (3) 19 (5);
- Lebanon**—
proscribed territory 161 (4); 172 (5)
- Levy on wheat**—
remitted, certain provinces 24 (4); 379 (5)
- Licences**—
aluminum, 118 (3); canned lobster 117 (2); coal or coke, 167 (1); fertilizer 134, 179 (1); fibre flax seed, 172 (1) 80 (3); fish livers, oils, etc., etc., 124 (2); French trawler, 173 (1); import or export 168 (1); leather 17 (3), 19 (5); lobster, 117 (2) ships 19 (2); 72 (3); wheat storage 65 (3)
- Lights**—
control 163 (4), 23, 369, 387 (5)
- Linen yarns**—
entry 66 (2)
- Load line rules**, 64, 111, 200 (5)
- Lobster**—
agreement control scheme 71, 115 (2), 96 (4); export 117 (2); trade marks, 121 (2)
- Lockouts**—
Industrial Disputes Inquiry Commission 169 (4)
- Longshoremen**—
employment Halifax 22 (4)
- Luxembourg**—
resources in Canada 86 (2)
- Machine Tools**—
controller and regulations, 56 (3), 174 (5); export permit 132 (3); new models, 152 (3)
- Manchuria**, 177 (5)
- Mandarins**, 241 (5)
- Manion, R. J.**, 390 (5)
- Manning Pool for Seamen**—
regulations 150 (4); amendments, 206 (5); pay, 215 (5); arrangements, 317 (5)
- Manoeuvre (Canada) Regulation** 39 (5)
- Maple**, 167, 303 (5)
- Manufactured articles**—
new models prohibited 152 (3)
- Masters and Mates**—
regulations, 135 (2); certificates 93 (3), 11, 23 (4), 294, (5)
- Material Resources**—
Division of National War Services 88 (3)
- Maximum prices**—
regulations, 254, 281 (5); hides, etc., 18 (5); feeds, 44 (5)
- Maximum rentals**, 287 (5)
- Medals**—
see under Decorations
- Medical Care**—
Armed Forces 118, 120 (1); communicable diseases, 108, 127 (3); discipline 201 (1); salt water fishermen, 169 (1)

REFERENCE INDEX—*Con.*

- Memorial Cross—**
regulations 63 (3) 72 (4)
- Men of Military Age—**
206 (4), 64, 211 (5)
- Mennonites—**
postponement military training 100 (3); alternative training, service or work 166 (4)
- Mercantile ships—**
special equipment 171 (1), 49 (2)
- Merchant Navy Badge, 120 (5)**
- Merchant seamen—**
compensation 160 (1); 132 (4); 320 (5); discipline 79 (4); manning pool 150 (4); 206, 317 (5); Memorial Cross 72 (4); medical care 169 (1); pensions 162 (1); order 1941, 38, 149 (5); identity, 322 (5)
- Metals—**
aluminum 118 (3); control 20 (3); regulations, 174 (5)
- Military Age—**
male persons, Civil Service 206 (4), 64, 211 (5)
- Military Estates—**
see under Estates
- Military Forces—**
designated Canadian Army 148 (3)
- Military Training—**
calling men, four months 58, 207 (4)
- Militia—**
accommodation 172 (1); active on war establishment, 26 (1); strikes, 71 (5)
- calling out, 11 (1); Depots named as Corps, 36 (1); hospitalization, 118 (1); provincial officers may requisition, 42 (3); right to retire, 156 (1); reduction to ranks, 219 (1)
- Mines and Resources—**
control of explosives, 11 (3); 191 (4); Dominion Fuel Board, 192 (4); 75 (5); evacuated children, 15, 45 (3), 62 (4)
- Minimum Wage Rates—**
schedule—contracts for war supplies, 162 (4)
- Mining Rights—**
extension of time 125, 135 (1)
- Minor Claims (Motor Vehicle Accidents)—**
Order, 167 (5)
- Mobilization Division, 249 (5)**
- Motor Vehicles, 13, 34 (4), 167 (5)**
- Munitions and Supply—**
Airport Zoning Regulations, 193 (1), 14 (4); amendments Munitions and Supply Act 58 (2); buildings 143, 153, 180 (4); contracts, 62 (2), 76 (5); customs duty, etc., 26, 27, 41, 64 (2), 120 (3), 106 (4); economic and industrial facilities 97 (2); machine tools controls, 56, 152 (3), 174 (5); metals control, 20 (3), 174 (5); motor vehicles control, 34 (4); oath of secrecy, 147 (3); oil control, 137 (2), 44 (4); power control 59, 87 (3); priorities 39, 143 (4); proclamation, 56, 57 (2); purchase of supplies, 28, 33, 52 (4) Radio Act 1938, 26 (3); ship construction and repairs, 154 (3); 92 (4); steel control 132 (2), 43 (4), 175 (5); timber control, 130 (2), 183 (4), 176 (5); Transport Department, certain duties, 18 (3); Wartime industries Control, 129 (2), 202 (5) Wartime Requirements Board, 145 (3); transit, 81, 340 (5)
- chemicals, 31, 277 (5); supplies, 100 (5), 163, 330 scrap, 306 (5)
- Munitions of War—**
customs duties 26, 27, 41, 64 (2), 120, 162 (3), 106 (4), 234, 275 (5); export of certain articles, 132 (3); employment 141 (3); definition "munitions" 63 (4)
- National Advisory Committee—**
children from overseas, 15, 45 (3); 62 (4)
- Nationals, aliens—**
masters, British ships, 119 (3)
- National Defence Projects—**
Fair Wages and Hours of Labour Act not applicable 52 (3)
- National Film Board—**
administration under Department of National War Services 177 (4)
- National Labour Supply Council—**
established, 128 (3)
- National Registration—**
proclamation, 40 (3); registration cards, 25 (4); regulations, 19, 35 55 (3); Division, 249 (5)
- National Research Council—**
men of military age, 64 (5)
- National Resources Mobilization Act 1940—**
enforcement, 62 (3); proclamations, 40 (3), 58, 207 (4); recruits, 65 (4); registration regulations, 19, 35, 55 (3), 25, 65 (4), 197, 245 (5); Reserve Army (Special), 67 (4); University students, 103 (4); War Charities, 44 (3); leave, 272 (5)
- National War Labour Board—**
constituted, 228, 377 (5); wartime salaries, 332 (5); regional war labour boards, 339 (5)
- National War Services—**
alternative training, etc. 166 (4); amendments 25, 65 (4); C.B.C., Film Board and Travel Bureau, 177 (4); Director of Public Information, 25 (3); Censorship, 115 (5); Divisions established 88 (3), 249 (5); enforcement, 62 (3); failure to report, 167 (3); lost certificates, 125 (3); medical examination, 111 (3); Mennonites, Doukobors, 100 (3), 166 (4); notices, mailing, 138 (3); proclamations 85 (3), 58, 207 (4); recruits, 65 (4), 197 (5); students, 94 (3); 103 (4); subsistence allowance, 100 (3)
- Naturalization—**
aliens, 122 (1)
- Naval Reserves—**
on active service, 20 (1)
- Naval Service—**
see under Royal Canadian Navy
- Navigation—**
Welland River closed, 125 (1); 11, 99, 105 (2)
- Navy, Canadian Merchant—**
20 (5)
- Necessaries of Life—**
see under Wartime Prices and Trade Board
- Netherlands—**
Department of National Defence, agent, 110 (4); purchases, 33 (4), 90 (5); resources in Canada, 86 (2)
- Neutral Countries—**
certain persons—enemies, 225 (1); export regulations 19, 20, 23, 33, 63, 139 (2)
- Newfoundland—**
civilian claims against Canadian Forces, 159 (3)
- Nicotine Acid, 227 (5);**
- Non-residents entering Canada—**
remission of customs duty, 309 (5)
- Norway—**
Department of National Defence, agent, 110 (4); customs duty, 162 (3)
- Norwegian fishing vessels—**
licences, 88, 136 (4)
- Notarial Acts—**
regulations re enemy territories, 156 (4)
- Nova Scotia—**
apple agreements, 70 (2), 47 (3), 154, 155 (5); disposal of apples, 96 (2)
- Oath—**
allegiance—candidates, 22, 27 (3); secrecy, 147 (3), 66 (4); R.C.A.F. administer, 21 (4); enemy territory 156 (4)
- Obsolete Stores Committee—**
regulation re disposal, 196 (4)
- Official Secrets Act—**
employees Munitions and Supply, 147 (3); employees in U.K. service, 66 (4)
- Oil Control—**
regulations, 137 (2); 44 (4)

REFERENCE INDEX—*Con.*

- Oils—
administrator and regulations, 115 (3), 336 (5)
- Okanagan Valley—
apple agreement, 73 (3), 188 (4), 60, 96, 150, 180, 224 (5)
- Ontario—
quota of Western grains, 147 (4)
- Paper, 303 (5)
- Parliament.—
War session, 17, 18 (1)
- Patents, Designs, Copyright and Trade Marks (Emergency) Order 1939
regulations, 164 (1), 38 (4); licence, 74 (4); protection, 163 (3)
- Penitentiaries—
may employ men of military age, 211 (5)
- Pensions—
civilian employees, 185 (4); fishermen, 162 (1); 172 (4); pensioner on active service 82 (2); persons eligible, 99 (3), 191 (5); regulations, 30 (1); 99 (3); treatment 118 (4); 96, 157 (5)
- Reconstruction Committee, 141 (5)
- Permanent Force—Deserters—
pardon on re-enlistment, 126 (1)
- Permits—
articles listed, export 18, 37 (4), 37, 119, 386 (5); erection of buildings, 143, 153 (4); export Neutral Countries, 19, 20, 33, 63 (2); Export Permit Branch, 84 (4); explosives, sale or purchase, 29 (2); fee, 119 (4); feed grains, 59 (4); Western Hemisphere, 69 (4)
- Petroleum and Naphtha Inspection Act, 45 (5)
- Photography, 212 (5)
- Pigeons—
traffic, 20 (4)
- Pilotage dues—
ships in convoy, 31 (2)
- Plateau Company Ltd., 79 (5)
- Poland—
Department of National Defence, agent, 110 (4), 90 (5)
- Polarbjorn—Norwegian fishing vessel—
licence, 136 (4)
- Polaris—Norwegian fishing vessel—
licence, 136 (4), 91 (5)
- Police Officer—
powers, R.C.M.P. provincial and municipal, 71 (3)
- Pork, fresh or frozen—
import, 128, 182 (3); export, 63 (5)
- Postage—
free members Overseas Forces, 220 (1); loss, 243 (5)
- Post Discharge Re-establishment Order—
established, 184 (5); training, 382 (5)
- Postmasters, revenue—
cost of living bonus, 315 (5)
- Post Office Savings Bank, 278 (5)
- Potatoes—
certified seed, 154, 181 (1)
- Power—
regulations re control, 59, 87 (3); daylight saving, 95 (3)
- Prairie Farm Income payments—
regulations, 225, 324, 325 (5)
- Printing, 58 (5)
- Priorities—
deputy officer, 116 (5); erection of buildings, 153; 180 (4); plan, 39, (4); power extended, 143 (4); shipping, 247 (5);
- Prisoners of War—
Discipline and treatment, 218 (1), 14 (5); refugee camps, 51 (5)
- Prize Courts—
Constitution 28 (1); Danish ships, 71, 104 (2); rules, 61, 107 (1); 145 (3)
- Proclamations—
calling War Session, 18 (1); Canadian Shipping Board, 228 (1); contraband of war, 34 (2); day of prayer, 105 (1), 87 (2); 64, 184 (4); 385 (5); enemy aliens, internment, 54 (1); Exchange Fund 73 (1); War Roumania, Hungary and Finland, 344 (5); German Reich, war, 19, 53 (1); Italy, war, 114, 122 (2); war, Japan, 350 (5); men for military training, 86 (3); 58, 207 (4); Munitions and Supply Act, 57 (2); National Registration, 40 (3); Re-consecration Week, 128 (5)
- Prohibited Areas—
places listed, 29, 53 (4), 391 (5)
- Property—
requisition other than land, 13 (1)
- Provincial Officials—
requisition Active Militia, 42 (3)
- Public Information—
Committee, 59 (1); Division of Publicity, 88 (3); Office of Director, 25 (3); National War Services, 249 (5)
- Publicity—
division of National War Services, 88 (3)
- Pulp—export, 303 (5)
- Quebec—
War Savings Certificates held by married women, 351 (5)
- Radio—
Apparatus on ship, 31 (4); duties, Munitions and Supply, 26 (3); alien Nationals, 26 (5)
- Rags—export, 336 (5)
- Rayon yarn—export, 143 (5)
- Re-consecration week, 123 (5)
- Re-construction Committee, 141 (5);
Re-establishment Order, Post Discharge, 184 (5)
- Refugee Camps—
established, 14 (5); prisoners of war, 51 (5); regulations, 177 (5)
- Regional War Labour Boards, 339 (5)
- Registration—
cards, 25 (4); all persons, 19 (3); enforcement, 62 (3); loss of certificates, 125 (3); medical examination, 111 (3); students, 94 (3); subsistence allowance, 100 (3)
- Rehabilitation Grant—
regulations re payment, 180 (3), 27, 148 (4); C.W.A.C. eligible, 283 (5)
- Rennet—
export, 13, 96 (2)
- Rentals—
administration, 96 (3); control, 83 (3); maximum, 287 (5); penalties, 122 (5)
- Requisitioning—
property other than land 13 (1); ships 185 (1)
- Reserve Army (Special) Regulations, 1941—
regulations, 67, 103, 104 (4)
- Reserves—
Air Force, 38 (1); Naval Forces, 20 (1)
- Retirement Fund, 178 (5)
- Revenue Post Offices, 315 (5)
- Risks, War—
application of Insurance Scheme, 34 (1)
- Roumania—
Trading with the Enemy, 124 (3); War, 343 (5); Certificates, 345 (5)
- Royal Canadian Air Force—
accommodation 172 (1); Applicants, 179 (5); Auxiliary and Reserve Forces, 15, 33, 38, 44 (1); claims against the Crown, 104 (3); 122 (4); discipline, 201 (1); financial regulations, 218 (1); 148 (5); ground mechanics, 17 (5); hospitalization, 118 (1), 96 (5); increase in strength, 133 (1); oath of allegiance, 22 (3); officers to administer oath, 21 (4); personnel on loan to, 106 (2); protected places, 61 (3); reduction in rank, 155 (1); right to retire, 156 (1); special reserve, 60 (1)
- Royal Canadian Mounted Police—
security control officer, 108 (5)

REFERENCE INDEX--*Con.*

- Royal Canadian Navy—
accommodation, 172 (1); Active Service, 20, 21 (1); age limit, 50 (1); claims against Crown, 149 (4); co-operate R.N., 58, 184 (1); college, 354 (5); discharge to pension, 133 (1); discipline, 201 (1); hospitalization, 118 (1); oath of allegiance, 27 (3); Reserve Forces, 20, 50 (1); ships' supplies lost, 51 (4); term of service, 175 (1)
- Rubber—
export, 88 (5); agents, 165 (5)
regulations, 268 (5)
- Russia, 99 (5)
- St. John Ambulance Association, 383 (5)
- Salaries Order, Wartime, 332 (5)
- Sales Tax—
regulations re gas and electricity, 94 (1); building materials, 295 (5)
- Salmon, canned—
control of production and shipments, 182 (4), 65, (5); processing, 94 (5)
- Salt-water fishermen—
compensation for loss, 160 (1), 48 (5); medical care, 169 (1); pensions, 162 (1); 172 (4) 48 (5); Salvage Divisions, 249 (5)
- Savings Bank Act, 278 (5)
- Sawlogs, Douglas fir—
sawlog export prohibited 166 (3)
- Scrap and surplus articles, 306 (5)
- Sea Cadet Corps—
regulations, 154 (4)
- Seamen—
compensation for loss 132 (4), 48 (5); detention of aliens, 91 (3); discipline, 79 (4); masters' certificates, 93 (3); manning pool, 150 (4), 206 (5); Memorial Cross, 72 (4), 120 (5)
- Secret Documents, 42 (5)
- Security Control Officer, 108 (5)
- Sedentary clerical duties—
enlistment for, 211 (1)
- Seed Production programme, 29 (5)
- Selling price—
basis re duty purposes, 375 (5)
- Ship Construction and Repairs—
regulations, 154 (3); 92 (4)
- Shipping—
acquisition of ships, 49 (2); alien nationals, 119 (3); alien seamen, 91 (3); Canadian Shipping Board, 221, 228 (1), 19 (2); certain privileges, 72, 101 (3); control, 12, 42 (1), 55 (2); detention, 142 (3); discipline, 44 (1); German ships, 54 (1); foreign registry, 320 (5); Masters and Mates, regulations, 135 (2), 178 (4); navigation St. Lawrence, 113 (3); pensions, 162 (1), 172 (4); personnel interned or captured, 175 (4); prize, 145 (3); requisitioning, 185 (1), 32 (3); special equipment, 49 (2); 79 (3); stiffening 171 (1)
- Silk—
conservation, 79 (5); export, 143 (5)
- Sitka Spruce, 181 (5)
- Skins—
licence, 19 (5); maximum price, 18 (5)
- Sounds—
control 163 (4), 23, 387 (5)
- South Africa, 97 (5)
- Special Products Board—
established, 99 (4); storage of eggs, 119 (4); storage of products, 176 (4)
- Spahngum Peat Moss, 315 (5)
- Staggered hours—
civil services, 340 (5)
- Stationery supplies, 58 (5)
- Steamship inspection, 116 (5)
- Steel control—
regulations 132 (2), 43 (4), 175, (5)
- Stenographers—
dependents' or marriages allowances, 370 (5)
- Sterling Area—
certain territories re imports, 115 (4)
- Storage—munitions, 331 (5)
- Stoves—export, 223 (5)
- Straw—export, 119 (5)
- Strikes—
commission, 169 (4); vote, 171, 281 (5); procedure, 71 (5)
- Subversive Activities—
see under Defence of Canada Regulations
- Sub-contracts, 319 (5)
- Sugar control—
administrator, 95 (1), 88 (2); purchase and importation, 146 (1); surplus funds, 78 (4)
- Summer fallow—definition, 325 (5)
- Supplies of War—
definition, 63 (4); regulations, 100, 163, 330 (5); cork, 276 (5); rubber, 165, 268 (5)
- Syria—
proscribed territory, 161 (4); 172 (5)
- Tangerines, 241 (5)
- Tanners' fleshings, export, 79 (5)
- Tariff—
automobiles, 13 (4); British goods 17 (4)
- Taxes—
C.W.A.C. exempt, 308 (5)
- "Technocracy"—
illegal publication, 125 (2)
- Timber Control—
definition, 164 (3); regulations, 130 (2), 183 (4), 78, 176 (5); birch and maple, 167 (5); Sitka spruce, 181 (5)
- Tin, 113 (5)
- Tires—
white wall, 56 (5)
- Trading with the Enemy—
essential articles, 18, 37 (4); definition enemy, 000 (5); importation from certain countries, 23 (2); proscribed territory, 85 (2), 124 (3), 60, 61, 161 (4), 172, 347 (5); regulations prohibiting, 38, 48 (1), 53, 110 (3); resources in Canada, custody, 86 (2);
- Traffic—
control, 163 (4), 23, 387 (5); railway equipment, 127 (1); regulations, 81 (5); accidents, 147 (5)
- Transit—
regulations, 81 (5); staggered hours, 340 (5)
- Transport—
aerodrome development, 180 (1), 102 (3); contracts, 90 (2); controller, 176 (1), 102 (3), 378 (5); duties transferred Munitions and Supply, 18, 26 (3); French ships, 33 (3); Government Employees Compensation Act, 54, 165, 190 (3), 70, 178 (5); manning pool, 150 (4), 215 (5); Masters and Mates, certificates, 11, 23, 178 (4); 116, 294 (5); Memorial Cross 72 (4); navigation St. Lawrence, 113 (3); personnel on ships interned 175 (4); radio apparatus, 31 (4), 26 (5); War Supply Board, 186 (1)
- Travelling expenses—
employees in war industries, 88 (5)
- Typists—
eligible dependents' or marriage allowance, 370 (5)
- United Kingdom—
aircraft, payment 182 (1); civilian claims, 104 (3); Government Employees Compensation Act, 54 (4); Official Secrets' Act, 147 (3); 66 (4)
- United States—
employees of United Kingdom, 165 (4)
- University Students—
military training, 103 (4)
- Vaccination, 95 (5)
- "V" . . . —
refuse registration as Trade Mark, 152 (5)
- Vanillin—export, 303 (5)
- Vegetable products—
export, 68 (5); dehydration, 326 (5)

REFERENCE INDEX—*Conc.*

- Venereal diseases—
 treatment, 127 (3)
- Veterans' Welfare Division—
 assistance to former members of forces, 139 (3)
- Visiting Forces (British Commonwealth) Act
 1933—
 Air Forces, 28, 47, 74 (2); amendments, 165, 191
 (1); Iceland, 119 (2); Military Forces, 47 (2);
 West Indies and Bermuda, 102 (2)
- Voir du Peuple*—
 publication prohibited, 187 (4)
- Voluntary Service—
 Advisory Board, 172 (3); division, National
 War Services, 88 (3); technical section, 23 (4)
- Wage—wartime policy—
 principles, 175 (3), 228, 329, 389 (5)
- War Announcements—
 German Reich, 19, 52, 53 (1); Italy, 114 (2); Japan,
 350 (5); Roumania, Hungary and Finland
 344 (5)
- War Charities Act 1939—
 duties transferred National War Services, 44 (3);
 Voluntary Services, 88 (3); Division, 249 (5)
- War Contract—
 definition, 165 (3)
- War Contracts Depreciation Board—
 regulations, 65, 165 (3)
- War Emergency Training Programme—
 trainees, 190 (4), 70, 374 (5)
- War Exchange Conservation Act 1940—
 imports, 26, 115 (4), 56, 241, 244, 268 (5); price
 control, 174 (3)
- War Risks—
 application Insurance Scheme, 34 (1)
- War Savings Certificates—
 conditions when held by a church, 130 (3); dis-
 posal in case of death, 61 (4); issue to groups,
 etc., 14 (3); married women, Quebec, 351 (5)
- War Service Badges—
 regulations, 39 (2); 158 (3); 207, 251 (5)
- War Supply Board—
 agent, 114 (1); amendments, 136 (1); committee
 on organization, 70 (1); contracts taken over,
 Munitions and Supply, 62 (2); Defence Pur-
 chasing Board, 157 (1); established, 61 (1);
 Minister of Transport responsible, 186 (1)
- War Technical and Scientific Development Com-
 mittee—
 members named, 69 (3)
- Wartime Bureau of Technical Personnel established
 23 (4)
- Wartime Industries Control Board—
 established, 129 (2); machine tools, 56, 152 (3);
 metals, 20 (3); motor vehicles, 13, 34 (4);
 oil, 137 (2), 44 (4); power, 59, 87 (3); ship
 construction and repair, 154 (3), 92 (4); steel,
 132 (2), 43 (4); timber, 130 (2), 183 (4); regu-
 lations, 135, 202 (5)
- Wartime Prices and Trade Board—
 butter, 143 (3); coal and coke, 132, 167 (1), 23 (3);
 commodities, 370 (5); Dominion Fuel Board,
 192 (4), 75 (5); flour and bread, 38 (3);
 hides and leather, 117 (1), 17 (3), 18, 19 (5);
 necessaries of life, 40, 178, 203 (1), 129, 257,
 302 (5); oils, 65, 124 (2), 115 (3); price control,
 174 (3); rentals, 83, 96 (3), 287 (5); sugar, 95,
 146 (1); 88 (2); 78 (4); wool 89, 90 185 (1), 13,
 30, 50, 51 (2); 29, 34 (3); penalties, 107, 122
 (5); transfer, 93 (5)
- Wartime Requirements Board—
 established, 145 (3); Priorities Plan, 39 (4)
- Wartime Salaries Order, 332 (5)
- War Veterans Allowance—
 national of enemy country, member of Canadian
 Forces, 78 (3); 16 (4); allowance, 337 (5)
- Welland River—
 navigation, 125 (1), 11, 90, 105 (2)
- Western Hemisphere—
 control of exports, 69 (4)
- West Indies—
 civilian claims, 159 (3)
- Wheat—
 acreage reductions, 89, 126, 135 (4); bonus, 76 (4);
 Creston District, 155 (4); deliveries and
 sales, 139, 158 (4), 67, 74, 282 (5); flour,
 maximum price, 38 (3); levy remitted, 24 (4),
 73, 87 379 (5); licences re storage, 65 (3)
 terminal storage facilities, 49 (4)
- Women—
 regulations, War Zone, 110 (2); C.W.A.F., 2,
 191, 280, 283 (5); C.W.A.A.F., 92, 190 (5)
- Wool—
 administrator, 89 (1); 50 (2), 29 (3), 279 (5); ex-
 port restricting, 90 (1); free entry, 13, 30, 51
 (2); maximum price, 185 (1); permit to im-
 port, 34 (3)
- Zoning—
 regulations for Airports, 193 (1); 14 (4)

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